



Parks, Recreation and Cultural Services

PR&CS Administration
1401 Recreation Way
Colorado Springs, CO 80905

Agenda

Parks, Recreation and Cultural Services Advisory Board

Please mute your microphone during the meeting.

Thursday, November 12, 2020

7:30 a.m.

Electronic Meeting

How to call in to the meeting for citizens:

Please dial +1 (720) 617-3426 Conference ID: 380 223 291#

How to comment:

- *For Citizen Discussion concerning items that are not on the agenda please email your comments to: PRCS-ParksAdvisoryBoard-SMB@coloradosprings.gov in advance of the meeting.*
- *For Agenda Items- Before the meeting, those who wish to comment should submit their name, telephone number, and the topic or agenda item for comment to PRCS-ParksAdvisoryBoard-SMB@coloradosprings.gov. If you are a participant in Microsoft TEAMS please use the chat function to indicate you would like to comment. If you have joined the meeting via conference call, please listen for your opportunity to comment. You will be called upon to comment using the last four digits of your telephone number. Please limit your comment to three minutes.*

Call to Order

Citizen Discussion

Time for any individual to bring before the Parks and Recreation Advisory Board any matter of interest they wish to discuss that is not elsewhere on the agenda. Comments are restricted to three (3) minutes; you will hear an alarm when your time is up. Please contact PR&CS staff no later than the last Wednesday of the month prior if you wish to place a longer presentation on the agenda.

Approval of Minutes – October 8, 2020

Minutes are posted no later than 5:00pm on the Tuesday before the meeting at:

<https://coloradosprings.gov/city-council/page/parks-and-recreation-advisory-board>

Action Items

Corral Bluffs Expansion
Parkland Dedication Ordinance (PLDO)

Britt Haley
Karen Palus/Chris Lieber

Presentations

Urban Forestry Master and Management Plan
Cemetery Update

Dennis Will
Kim King/ Kelly Stevenson

Staff Update

COVID-19 Update

Karen Palus

Budget 2021 Update
E-Bike Policy Process Update
Accreditation
Election Update

Kelly Rajab
Scott Abbott
Karen Palus
Karen Palus

Board Business

TOPS Working Committee Alternate Member Appointment

Britt Haley

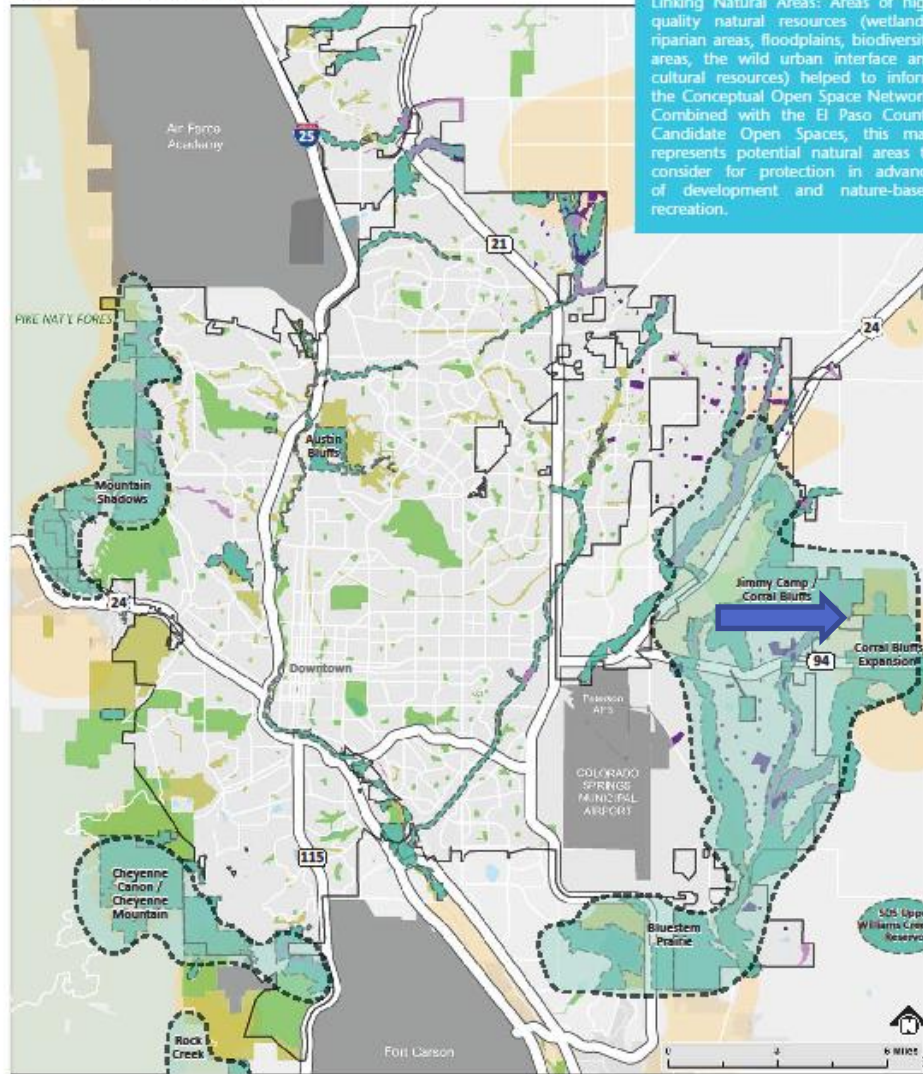
Adjournment

Corral Bluffs Addition – 40 Acres

Parks, Recreation & Cultural Services
Advisory Board
November 12, 2020
Britt Haley- TOPS Program Manager

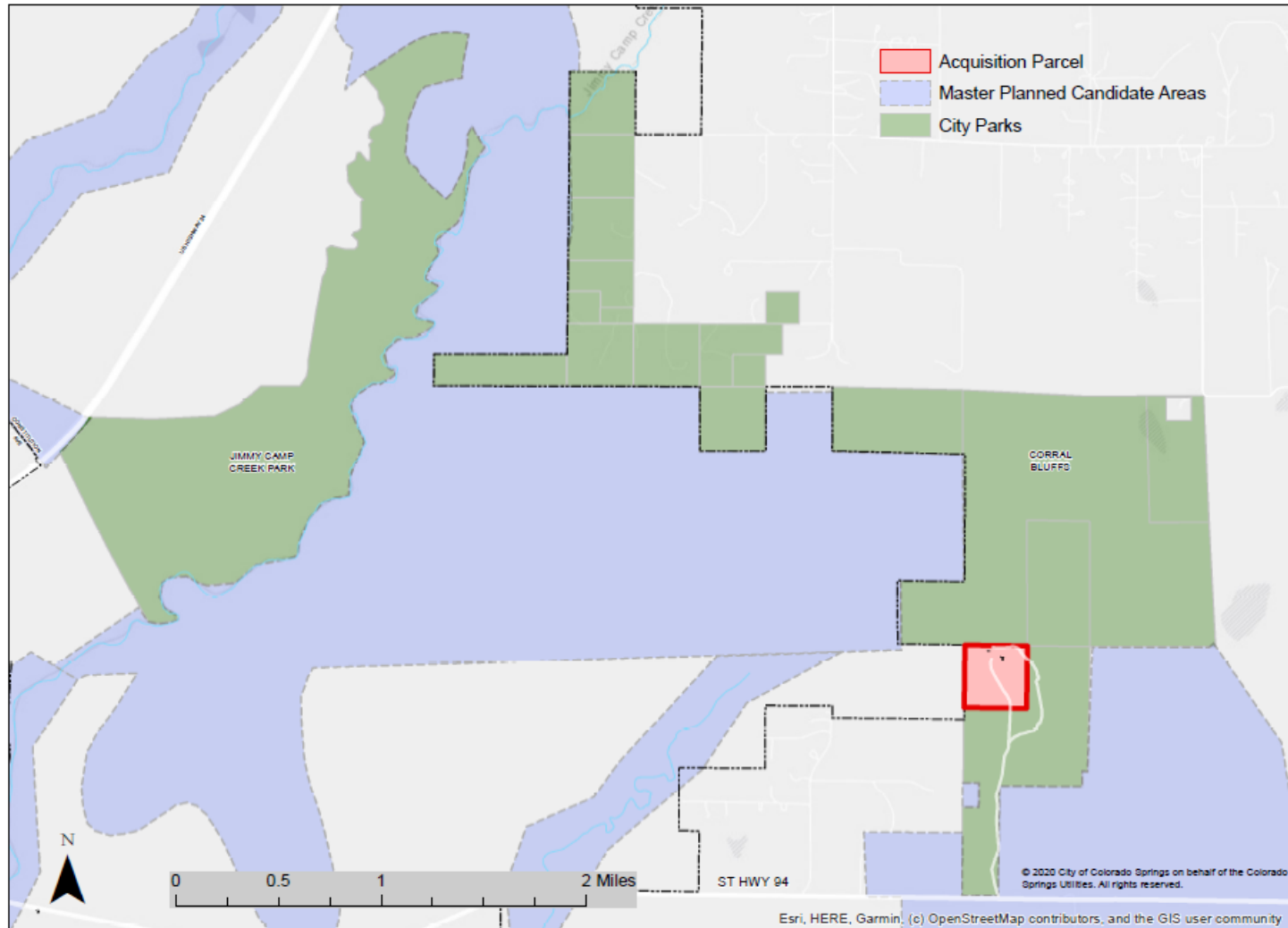


Map 27: Open Space Candidate Areas



Linking Natural Areas: Areas of high quality natural resources (wetlands, riparian areas, floodplains, biodiversity areas, the wild urban interface and cultural resources) helped to inform the Conceptual Open Space Network. Combined with the El Paso County Candidate Open Spaces, this map represents potential natural areas to consider for protection in advance of development and nature-based recreation.

- Candidate Open Space Area
- El Paso County Candidate Open Space
- Conceptual Open Space Network
- Master Planned Future Park
- Master Planned Future Open Space
- Pike National Forest
- Park Lands (City and Special District)
- Open Space/Special Resource Area/Greenway
- Undeveloped Park Land (City and Special District)
- City Limits

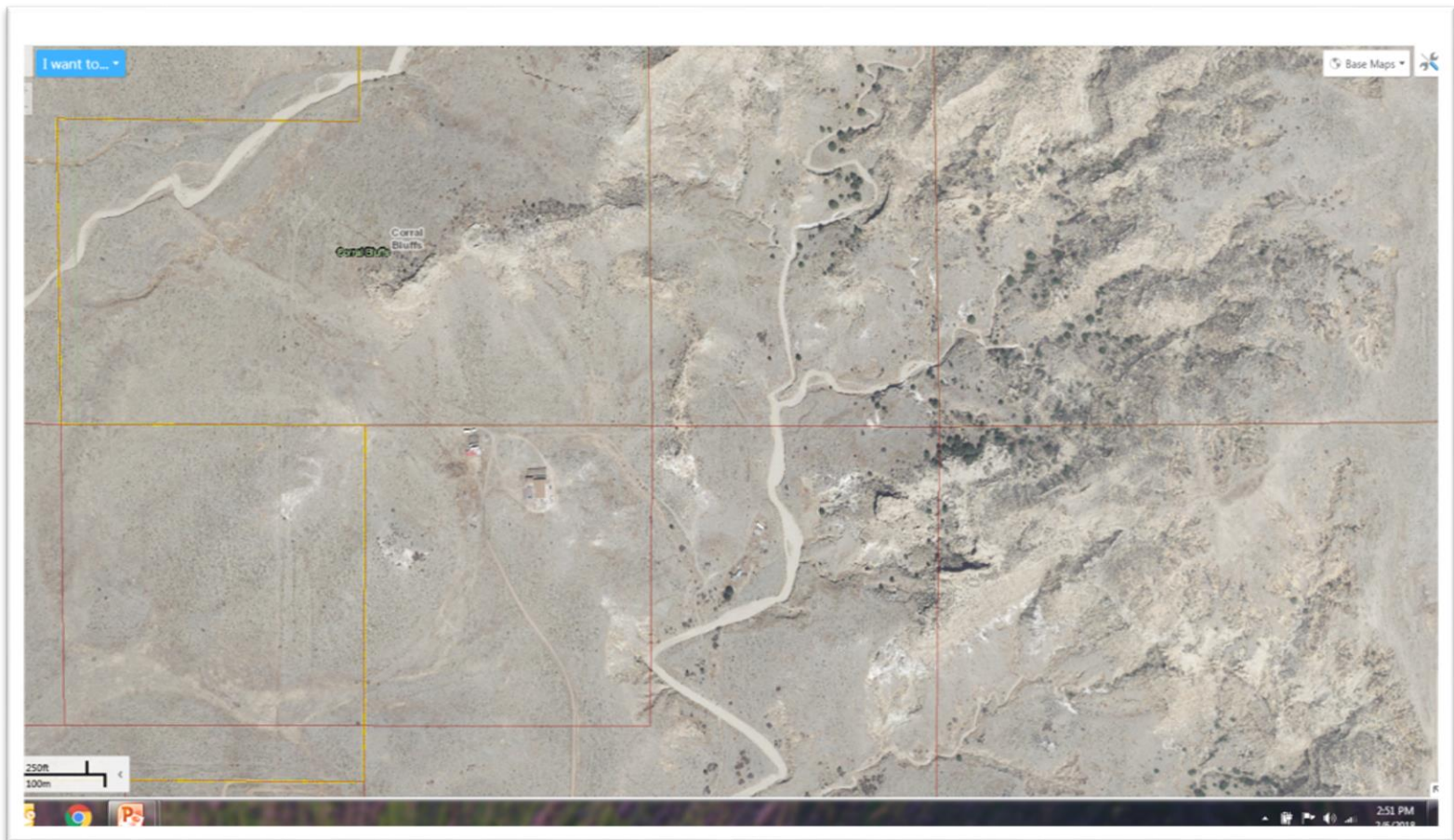


Details

- Strategic acquisition of a 40 acre inholding at the Corral Bluffs Open Space.
- TOPS has been working to acquire the parcel since February 2018.
- Earlier this year owner was in negotiations with TOPS but favored a private buyer. That sale failed to close. Now, TOPS has a contract but needs to close by end of year.
- Most recent appraised value \$480,000. Contract price \$470,000 based on the quick close.
- Parcel was originally part of the Bishop Ranch, which was acquired by TOPS in late 2018.
- The 40 acres was previously deeded to Phil and Shirley Greco (a daughter of the Bishops) by the Bishop family.
- Parcel has an exclusive ingress and egress easement through the Corral Bluffs main entrance off of Highway 94.
- Property has a house built in 2003, a well, and septic system
- Will allow the property to be gated, and closed to random public access.

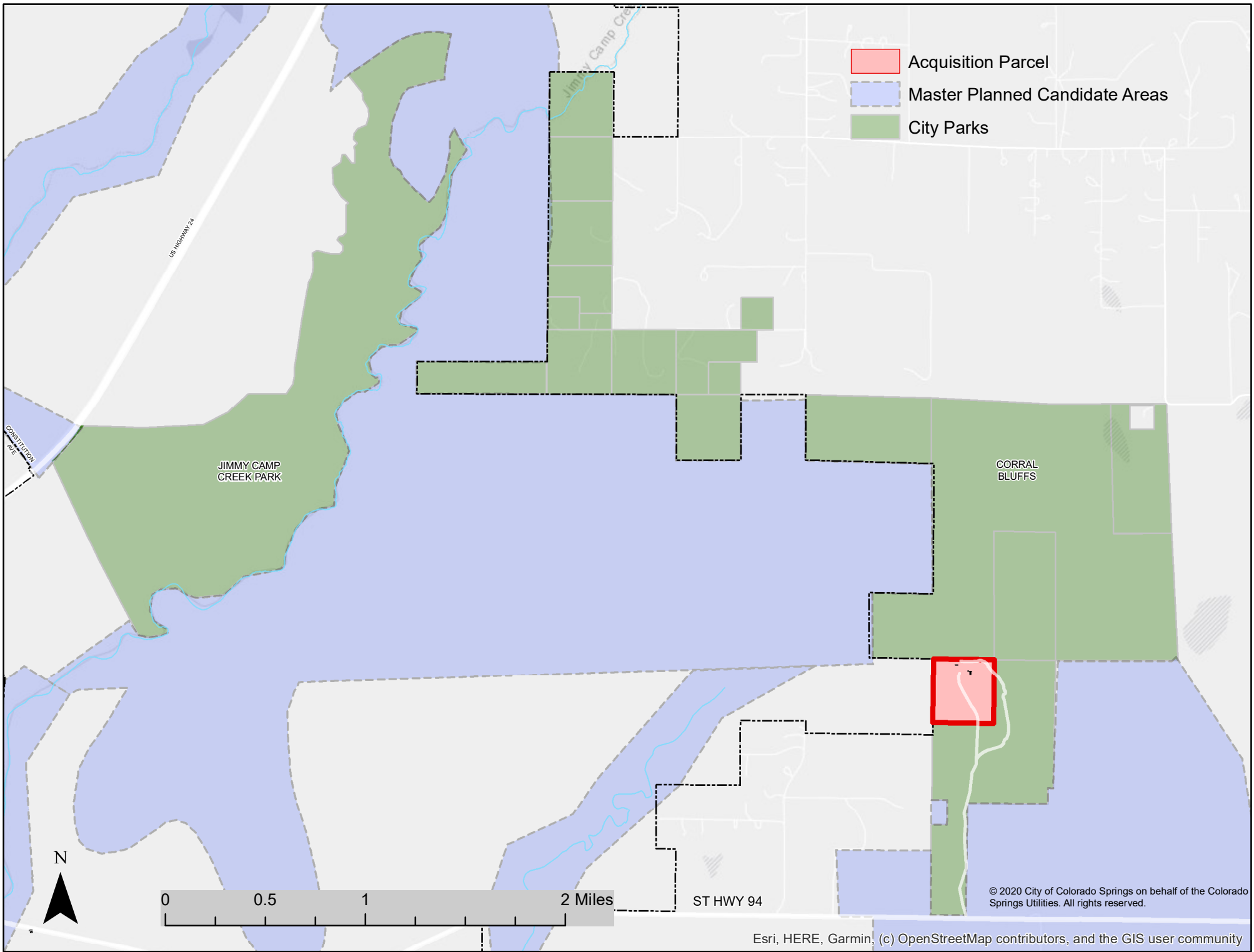


Aerial View



Questions?





COLORADO SPRINGS PARKS, RECREATION AND CULTURAL SERVICES DEPARTMENT
PARKS, RECREATION & CULTURAL SERVICES ADVISORY BOARD

Date: November 12, 2020

Item Number: Action Item # 1

Item Name: Proposed acquisition of approximately forty (40) acres as an addition to the Corral Bluffs Open Space

SUMMARY:

Since 1996, when the City's first Open Space Plan was adopted, the City of Colorado Springs has prioritized and worked to acquire property in and around the Corral Bluffs area for its special open space values. This action item provides the opportunity for the TOPS program to make a strategic acquisition of approximately forty (40) acres of property, which was originally part of the Bishop Ranch, purchased in late 2018, and is consequently surrounded on three sides by the existing Corral Bluffs Open Space. Additionally, it offers the opportunity to manage access to the existing Corral Bluffs Open Space property from State Highway 94.

BACKGROUND:

The 2014 Park System Master Plan ("Master Plan") identifies the Corral Bluffs area as an Open Space Candidate Area. In fact, this area has long been identified for land conservation in advance of development. It was first identified over 20 years ago in the 1996 City Open Space Plan and also in the 1997 El Paso County Open Space Master Plan. Beginning with a TOPS program purchase of the Case property in 2009, the Anderson property in 2010, the Kyle property in 2017, and the Bishop Ranch property in 2018, the TOPS program has diligently and patiently worked to assemble adjoining property in this resource rich area.

The 2014 Park System Master Plan (Master Plan) includes several goals that are supported by this proposal. First it provides enhanced open space opportunity on the City of Colorado Spring's east boundary, just as development is preparing to move forward under a revised and restated Banning Lewis Ranch annexation agreement intended to revitalize development on the adjoining 21,000 acres. Second, acquisition of this property will fill in a gap in the Corral Bluffs Open Space, reuniting this parcel with the original "Bishop Ranch" which will also provide a way to manage an existing access road to the open space currently used by the owner of the property. This acquisition would protect the City's existing investment by securing the parcel that shares three sides of the forty (40) acres with the boundary of the Corral Bluffs Open Space.

This property is situated on a plateau and it overlooks much of the open space property. There is a single family residence built in 2003 on this property with a well, septic system, and an outbuilding/barn. Due to its topography and location, it would provide a good site for a future Corral Bluffs visitors, nature and education center. In the interim, the home could be used as a ranger station, and a meeting location for the supporting friends group called the Corral Bluffs Alliance ("CoBA"). CoBA provides guided hikes for the public in the Corral Bluffs Open Space. Currently there are no nearby services for these hikes, and having shelter, running water and a restroom facility for our visitors would be beneficial. Additionally, it could provide a place for the research scientists from the Denver Museum of Nature and Science ("DMNS") to stay when they are on the property conducting paleontological research. In the past they have either paid for hotel rooms off site or have received permission to camp on the property in tents.

The special significance of the Corral Bluffs Open Space was highlighted in October of 2019 when the same DMNS scientists published the first of a series of scientific papers in the

prestigious journal Science concerning their fossil discoveries. They had discovered intact fossils documenting the emergence of mammals after the catastrophic asteroid that caused the die off of the dinosaurs. No other location in the world has produced such a treasure trove of quality fossils from this time period documenting the recovery of the Earth after the asteroid impact. This find is accurately described as unprecedented and was the focus of a PBS documentary called "Rise of the Mammals" that has aired on PBS's NOVA program several times. The DMNS also dedicated an exhibit to the fossils from Corral Bluffs, which was called After the Asteroid: Earth's Comeback Story.

Staff had been in communication with the seller since February of 2018 and renewed TOPS' interest through the seller's real estate agent in early 2020. Pursuant to TOPS and City real estate acquisition procedures, an appraisal was completed for the property. Based on that appraisal, and the seller's request for a lease back clause while he searched for another residence, staff was close to executing a contract to purchase the forty (40) acres in the last week of June, 2020. However, a private party made an offer that was more attractive to the seller, the property went under contract, and the deal seemed to have slipped out of reach.

In early October 2020, staff was contacted with news that the private purchase had failed to close. Consequently, staff renewed negotiations with the seller. During the time that had elapsed, the seller had made a number of repairs to the home and had cleaned up the property significantly. He also shared an updated appraisal he had conducted after repairing a list of inspection objection items which indicated a value of \$480,000. After review of the appraisal by Parks Department staff and the real estate services division, TOPS staff negotiated a purchase contract for a sum of \$470,000, with no lease back provisions and with a commitment to work quickly to close by the middle of December. Staff recognized value had accrued due to the improvements to the property, and that potential risk to the remainder of the Corral Bluffs Open Space would be mitigated by a purchase of this property.

FINANCIAL IMPLICATIONS:

The City is under contract to acquire the property contingent on a favorable Parks, Recreation and Cultural Services (PR&CS) Advisory Board recommendation and City Council approval, for the negotiated value of \$470,000. Acquisition of the property requires an appropriation in the amount of up to \$478,000 from TOPS Open Space Category revenues to purchase the property, and to pay for real estate transaction costs such as the ALTA survey, closing costs and recording fees. After the prior expenditures from the TOPS Open Space Category revenues in 2020, Parks Department finance staff estimates \$2.5 million remains available in this category for other open space purchases.

BOARD/COMMISSION RECOMMENDATION:

At its November 4, 2020 meeting the TOPS Working Committee voted 9-0 to recommend acquisition of the property.

ALTERNATIVE:

Do not recommend approval to the PR&CS Advisory Board or suggest that staff pursue an alternative.

RECOMMENDATION:

Staff recommends approval of acquisition of approximately forty (40) acres of property identified by tax schedule number 44000 00 505 and approval to expend up to \$478,000 for the property acquisition and real estate transaction costs from the TOPS Open Space Category revenues.

PROPOSED MOTION:

Move to recommend approval of acquisition of approximately forty (40) acres of property identified by tax schedule number 44000 00 505 with approval to expend up to \$478,000 for the property acquisition and transaction costs from the TOPS Open Space Category revenues.

Attachments:

Map depicting the property
Slide presentation

Parkland Dedication Draft Ordinance

Parks & Recreation Advisory Board Meeting
November 12, 2020

Engagement Process – 26 months

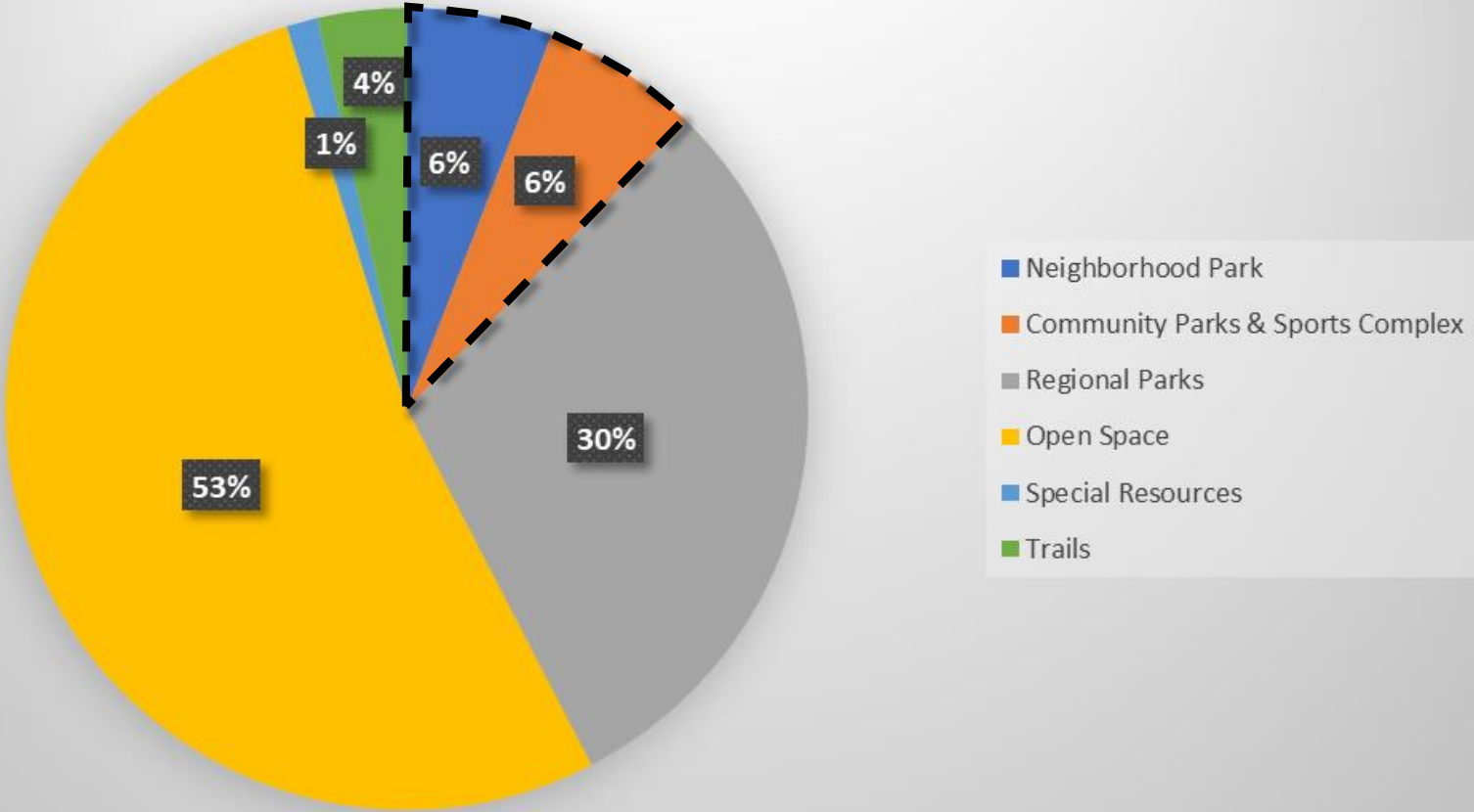
- Project Leadership Team (14 meetings)
- Establish Task Force (6 meetings)
- Evaluation of Existing Ordinance
- Individual Stakeholder Interviews (15)
- Benchmarking (19 communities)
- Stakeholder Groups
 - Parks Department
 - City Planning
 - Economic Development Groups
 - Development Community
 - School Districts
- Task Force Review and Recommendation

NEXT STEPS

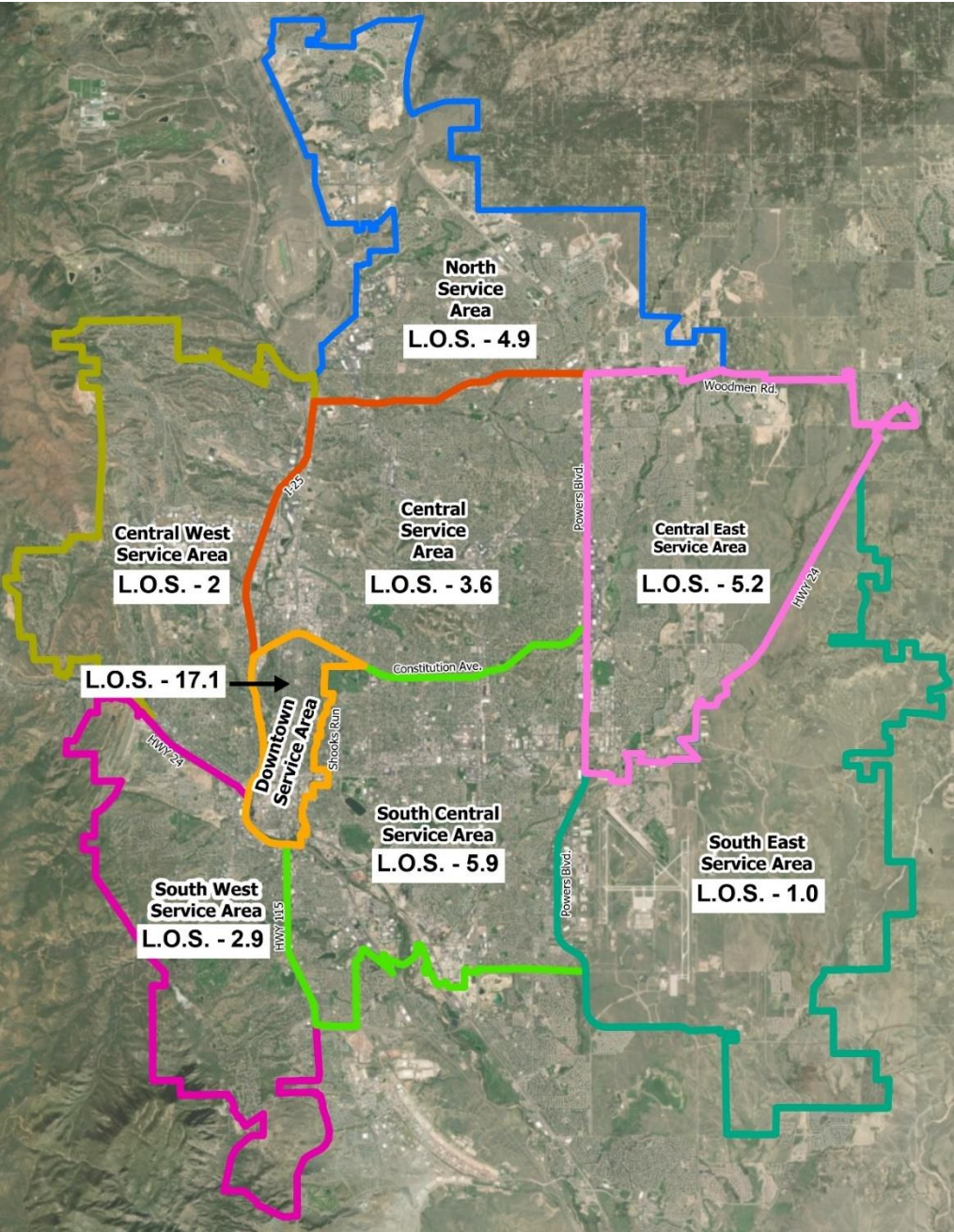
- Parks Advisory Board Work Session: **November 2nd**
- Parks Advisory Board Recommendation: **November 12th**
- Planning Commission Recommendation: **November 19th**
- City Council Work Session: **January 11th**
- City Council Public Hearing & Action: **January 26th**
- City Council 2nd Reading: **February 9th**

Parks Level of Service - Citywide

Existing Park System Service Level
37.2 acres per 1,000 population



Combined Neighborhood Park and Community Park Service Levels



North Service Area
Neighborhood: 2.3 ac/1,000
Community: 2.6 ac/1,000

Central West Service Area
Neighborhood: 1.8 ac/1,000
Community: 0.2 ac/1,000

Central Service Area
Neighborhood: 2.4 ac/1,000
Community: 1.2 ac/1,000

Central East Service Area
Neighborhood: 2.4 ac/1,000
Community: 2.8 ac/1,000

South West Service Area
Neighborhood: 1.2 ac/1,000
Community: 1.7 ac/1,000

South Central Service Area
Neighborhood: 2.1 ac/1,000
Community: 3.8 ac/1,000

South East Service Area
Neighborhood: 0.0 ac/1,000
Community: 1.0 ac/1,000

Downtown Service Area
Neighborhood: 4.3 ac/1,000
Community: 12.8 ac/1,000

Purpose of the Ordinance

- The Parkland dedication process focuses on ***land acquisition*** for neighborhood and community parks.
 - The land is required to serve the park needs that arise due to the addition of new residents.
 - This is expressed as a level of service standard.
- It applies to ***new*** residential development, it does not apply to non-residential development.
- PLDO is not intended to enable the Parks Department to build the future park.
- PLDO is not intended to enable the Parks Department to maintain and operate the future park.
- PLDO does not address the need for city-wide park maintenance on existing City parks.
- PLDO does not address affordable housing.



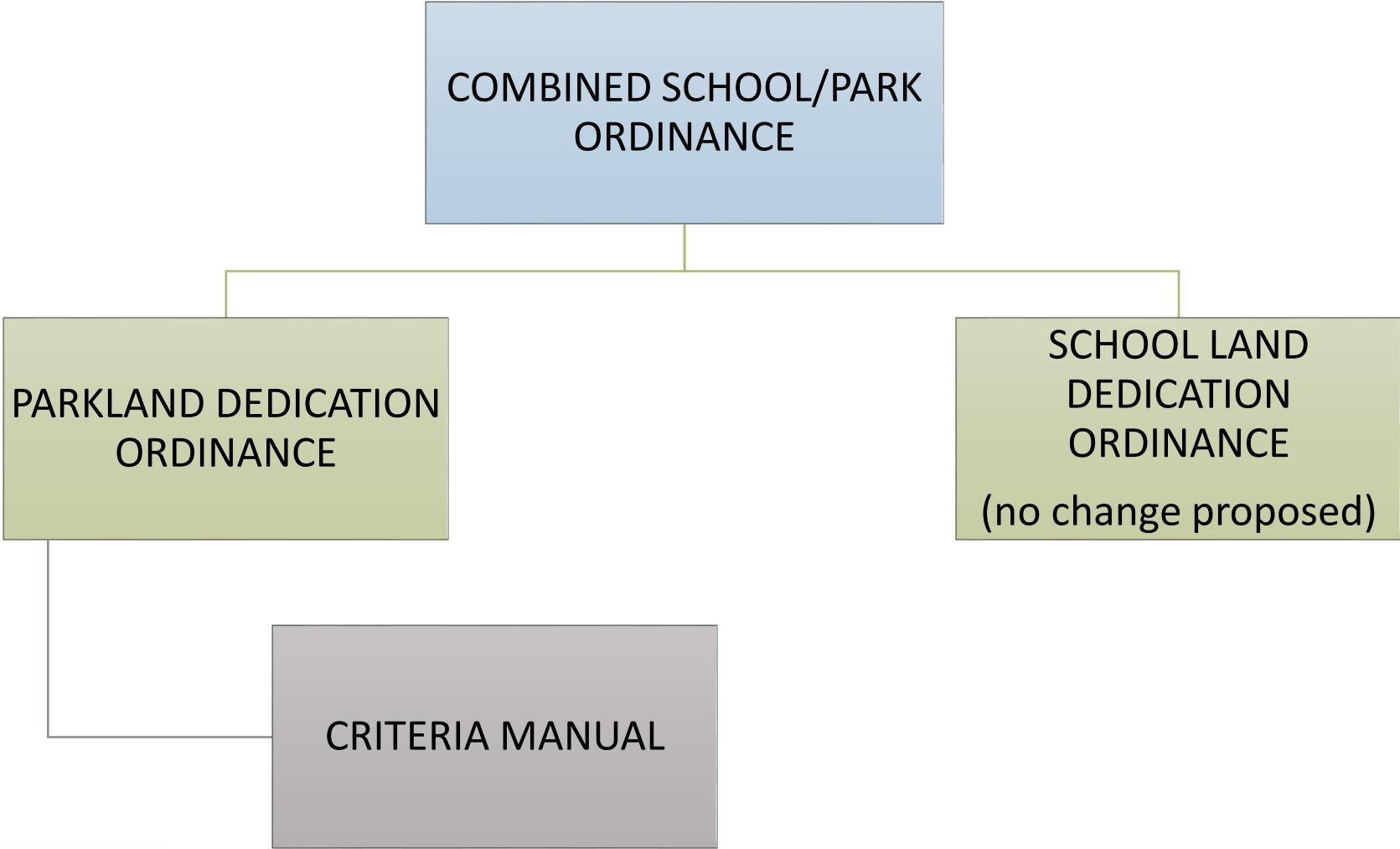
Guiding Principles Established by Task Force

- Maintain Quality of Life (Level of Service) ✓
- Affordability ✓
- Equity and Fairness ✓
- Flexibility ✓

Policy Recommendations

1. Create Separate Park Policy ✓
2. Update Census Data ✓
3. Update Parkland Dedication Standards ✓
4. Update Fee Policy ✓
5. Provisions for Flexibility, Fairness, and Accountability ✓
6. Neighborhood Service Areas ✓

Recommendation: Create Separate Park Policy



Update Census Data

Recommendation: 2018 American Community Survey 5-year estimates, 2014-2018

- 5 Unit Types:
 - Single-family detached residential structure
 - 2-4 units in residential structure
 - 5-19 units in residential structure
 - 20-49 units in residential structure
 - 50 units or more in residential structure
- Average household size per type of structure
 - 2.58 persons per Single-family detached residential structure
 - 2.10 persons per 2-4 units in residential structure
 - 1.87 persons per 5-19 units in residential structure
 - 1.75 persons per 20-49 units in residential structure
 - 1.63 persons per 50 units or more in residential structure
- Census updated every 4 years.

Update Parkland Dedication Standards

Alignment with Park system Master Plan:

5.5 acres total of parkland per 1000 persons

- 2.5 acres per 1000 for neighborhood parks
- 3.0 acres per 1000 for community parks
- 2000 Colorado Springs Parks Master Plan
- 2014 Colorado Springs Parks System Master Plan Update
- City Auditors Report
- 2020 Current average level of service in Colorado Springs is 2.5 acres of neighborhood parkland and 3.0 acres of community parkland
- Rational Nexus

Benchmark Communities

- Albuquerque
- Atlanta
- Aurora
- Austin
- Brighton
- Castle Rock
- Columbus
- El Paso County
- Evans
- Fort Collins
- Fresno
- Golden
- Greeley
- Kansas City
- Longmont
- Mesa
- Milwaukee
- Minneapolis
- Nashville
- Omaha
- Portland
- Pueblo
- Reno
- Tucson
- Wichita
- Windsor



Benchmark Community Summaries

MUNICIPALITY	PARK POLICY	DEDICATION CALCULATION
Albuquerque	YES	Replaced with Development/Impact Fees in 2005.
Atlanta	YES	N/A
Aurora	YES	Neighborhood parks: 3.0 acres per 1,000 population Community parks: 1.1 acres per 1,000 population
Brighton	YES	Local parks: 3 acres per 1,000 population Community parks: 3 acres per 1,000 population Open space: 15 acres per 1,000 population
Castle Rock	YES	Neighborhood parks: 2 acres per 1,000 population Community parks: 6 acres per 1,000 population
Denver	YES	Single or Multi. Unit from 1-7 units / AC = 0.0153 AC/Unit Single or Multi Unit from 8-18 units/AC = .0183 AC/Unit Multi. Unit above 18 units/AC = 0.0122 AC/Unit Non-residential development = 2% of net site plan area Reidential Uses include a seperate Neighborhood Park Contribution: Single or Multi. Unit from 1-18 units/AC = 0.0042 AC/Unit Mult. Unit above 18 units/AC = 0.0028 AC/Unit
El Paso County	YES	Rural residential: regional park dedication of .0194 acre for each gross acre. Urban residential: regional park dedication of .0194 acre for each gross acre; 4 acres per 1,000 population for combined urban park standard (1.5 acres for a neighborhood park and 2.5 acres for a community park)
Evans	YES	Neighborhood parks: 3.5 acres per 1,000 population Community parks: 2.75 acres per 1,000 population

Benchmark Community Summaries

MUNICIPALITY	PARK POLICY	DEDICATION CALCULATION
Fort Collins	YES	Park lands are dedicated based on the approved master plan. During the development review process, the City works with developers to identify locations for future parks and easements for future paved trails, based on locations identified in council approved master plans. The city pays the developer fair market value for the land for the park, utilizing impact fees for the purchase.
Fresno	YES	$A \times B = \text{Land to be dedicated}$ Single Family $A = 3.1 \text{ (persons per DU)} \times .03 = 0.093 \text{ acres per unit.}$ Multi-Family $A = 2.53 \text{ (persons per DU)} \times .03 = 0.0759 \text{ acres per unit.}$ "B" = #DU in development
Golden	YES	5% of the area of the subdivision.
Greeley	YES	$\text{DU} \times 2.7 \text{ persons/unit} \times 0.00975 \text{ acres/person}$
Kansas City	YES	$\text{DU} \times 3.7 \text{ (people/DU)} \times 0.006 \text{ (AC/Person)}$
Lakewood	YES	Neighborhood parks: 2.5 acres per 1,000 population Community parks: 3 acres per 1,000 population
Minneapolis	YES	Land dedication .0068 acres per unit regardless of land value
Omaha	YES	N/A
Portland	YES	N/A
Pueblo	YES	8% of the land area of a residential subdivision
Reno	YES	N/A
Thorton	YES	10 AC / 1000 residents for residential. Nonresidential developments shall dedicate 8% of the subdivision's gross land area for parks, open spaces, and trails.
Tucson	YES	N/A
Windsor	YES	5.5 acres per 1,000 population
Wichita	NO	N/A
Longmont	NO	N/A
Mesa	NO	N/A
Milwaukee	NO	N/A

Front Range Communities – Dedication Requirement

COMMUNITY	DEDICATION REQUIREMENT	TYPE OF DEDICATION
AURORA	11.9 ac./1000	Neighborhood Park, Community Park, & Open Space
CASTLE ROCK	8 ac./1000	Neighborhood Park & Community Park
EL PASO COUNTY	Urban: 4 ac./1000 Reg: .0194 ac./1000	Urban: Neighborhood & Community Parks; Regional Parks
GREELEY	9.75ac./1000	Neighborhood Park, Community Park, Sports Complex, & Regional Parks
LONGMONT	\$4,720 per dwelling unit	Parks, greenways, & open space
PUEBLO	8% of land area	
WINDSOR	5.5 ac./1000	Neighborhood Park, Community Park, & Open Space
THORNTON	10 ac./1000	Parks, Open Space, and Trails
BOULDER COUNTY	25 ac./1000	Parks, Open Space, and Trails
ERIE	8.5 ac./1000 park + const. fee 17 ac./1000 open space	Pocket Parks, Neighborhood Parks, Community Parks + Construction Fee Open Space
DOUGLAS COUNTY	15 ac./1000	Local Park (Neighborhood & Community) & Regional Park
JEFFERSON COUNTY	9.6 ac./1000	Parks, Open Space, Trails, Greenways, partial credit for bodies of water
WESTMINSTER	12 ac./1000	Public land for Parks, Open Space, & other public purposes
ARVADA	10 ac./1000	Park Land
BROOMFIELD	24 ac./1000	Open Land: any land open to public, Parks (neighborhood, community, and regional), plazas, trails, & open space

Update Fee Policy

Recommendation: Update Fees Every 4 years

- Every 4 years, City Real Estate contracts with certified appraiser (every 4 years)
 - Average land value of (1) acre for community parks
 - Average land value of (1) acre for neighborhood parks
- Applicable Platting Fees (Based upon location)
 - Equitable and predictable
- Parks Board and Planning Commission review and recommendation
- City Council review and approval of fees (every 4 years)

Park Fees

Recommendation: Park fees

Park Fees & Platting Fees

- Park Fees in Lieu of Land Dedication:
 - *When the City determines Park Fees are required in lieu of land dedication, the Park Fees, including the fees associated with platting the requisite acres of parkland, due for each lot shall be paid to the City prior to the issuance of any building permit for the lot.*
- Fees updated every 4 years.
- Current revenue: \$76,602 ac.
- Proposed:
 - \$98,010 (Community)
 - \$137,649 (Neighborhood)

Total Park Land Dedication Requirement (Combined Neighborhood & Community)

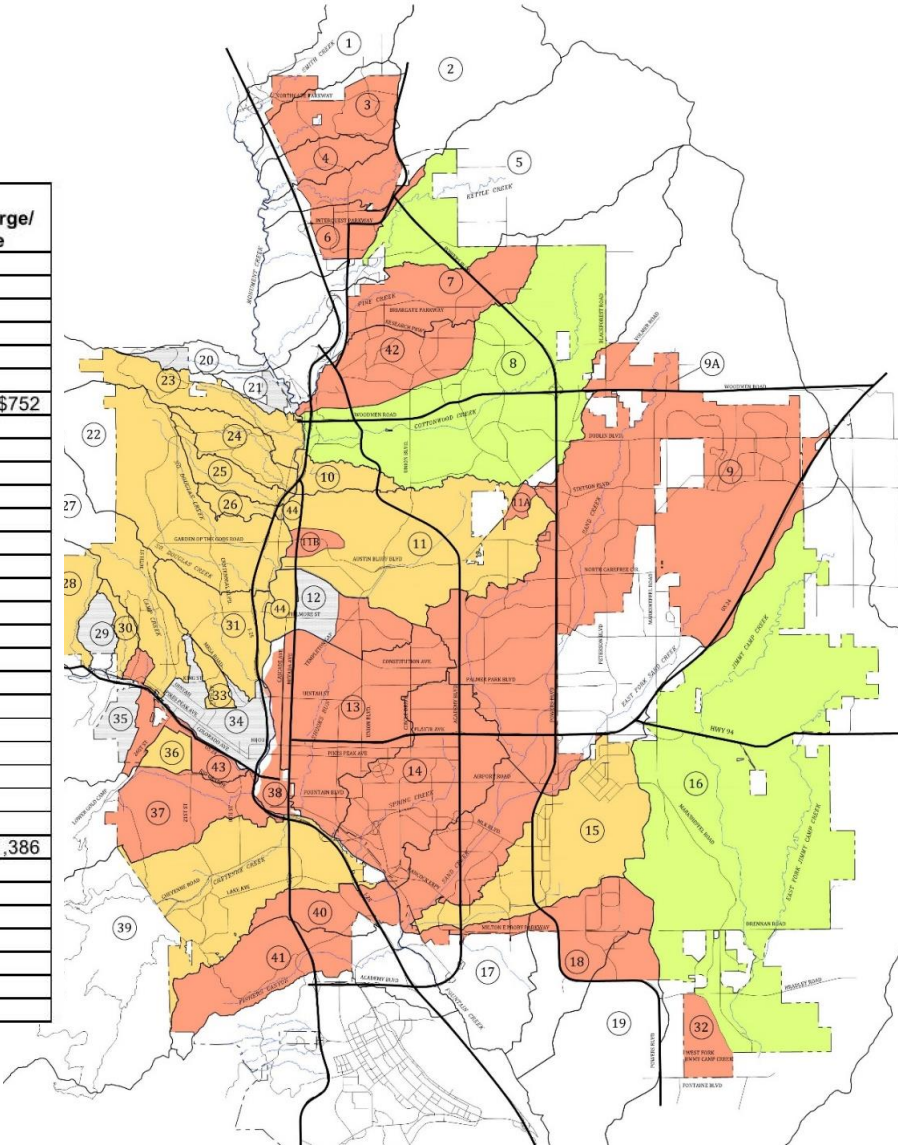
Based Upon Standard of 5.5 acres / 1,000 population

# OF UNITS PER STRUCTURE	ACRES OF DEDICATION PER UNIT*	FEES IN LIEU PER UNIT*
1	0.0142	\$1,646
2-4	0.0116	\$1,340
5-19	0.0103	\$1,193
20-49	0.0096	\$1,117
50+	0.0090	\$1,040

Applicable Platting Fees

2020 DRAINAGE, BRIDGE AND POND FEES CITY OF COLORADO SPRINGS

Basin Name	DBPS Year	Drainage Fee/Acre	Bridge Fee/Acre	Pond Land Fee/Acre	Pond Facility Fee/Acre	Surcharge/Acre
19th Street	1964	\$4,191				
21st Street	1977	\$6,397				
Bear Creek	1980	\$4,117	\$388			
Big Johnson, Crews	1991	\$15,929	\$1,309	\$241		
Black Squirrel Creek	1989	\$14,593	\$1,667	\$3,739		
Camp Creek	1964	\$2,360				
Cottonwood Creek ^{1, 2}	2019	\$14,356	\$1,175			\$752
Douglas Creek	1981	\$13,327	\$296			
Dry Creek ³	1966	\$0.00				
Elkhorn Basin ⁴	n/a	\$0.00				
Fishers Canyon ⁵	1991	\$0.00				
Fountain Creek ⁶	n/a	VAR				
Jimmy Camp Creek	2015	\$8,294			\$2,703	
Kettle Creek ⁷ Old Ranch Trib.	2001	\$0.00				
Little Johnson	1988	\$13,902		\$1,227		
Mesa	1986	\$11,127				
Middle Tributary	1987	\$24,907		\$1,121		
Miscellaneous ⁸	n/a	\$12,381				
Monument Branch ¹²	1987	\$0.00				
North Rockrimmon	1973	\$6,398				
Park Vista (MDDP)	2004	\$17,820				
Peterson Field	1984	\$13,442	\$619			
Pine Creek ⁹	1988	\$0.00				
Pope's Bluff	1976	\$4,260	\$729			
Pulpit Rock	1968	\$7,055				
Sand Creek ¹⁰	1996	\$13,309	\$791	\$1,070	\$3,823	\$1,386
Shooks Run ¹¹	1994	\$0.00				
Smith Creek ¹²	2002	\$0.00				
South Rockrimmon	1976	\$5,002				
Southwest Area	1984	\$14,220				
Spring Creek	1968	\$11,034				
Templeton Gap	1977	\$7,227	\$80			
Windmill Gulch	1992	\$15,178	\$282	\$3,055		



- BASES 1-10**

 - 1 19TH STREET
 - 2 21ST STREET
 - 3 BEAR CREEK
 - 4 BIG JOHNSON, CREWS
 - 5 BLACK SQUIRREL CREEK
 - 6 CAMP CREEK
 - 7 COTTONWOOD CREEK
 - 8 DOUGLAS CREEK
 - 9 DRY CREEK
 - 10 ELKHORN BASIN
- BASES 11-20**

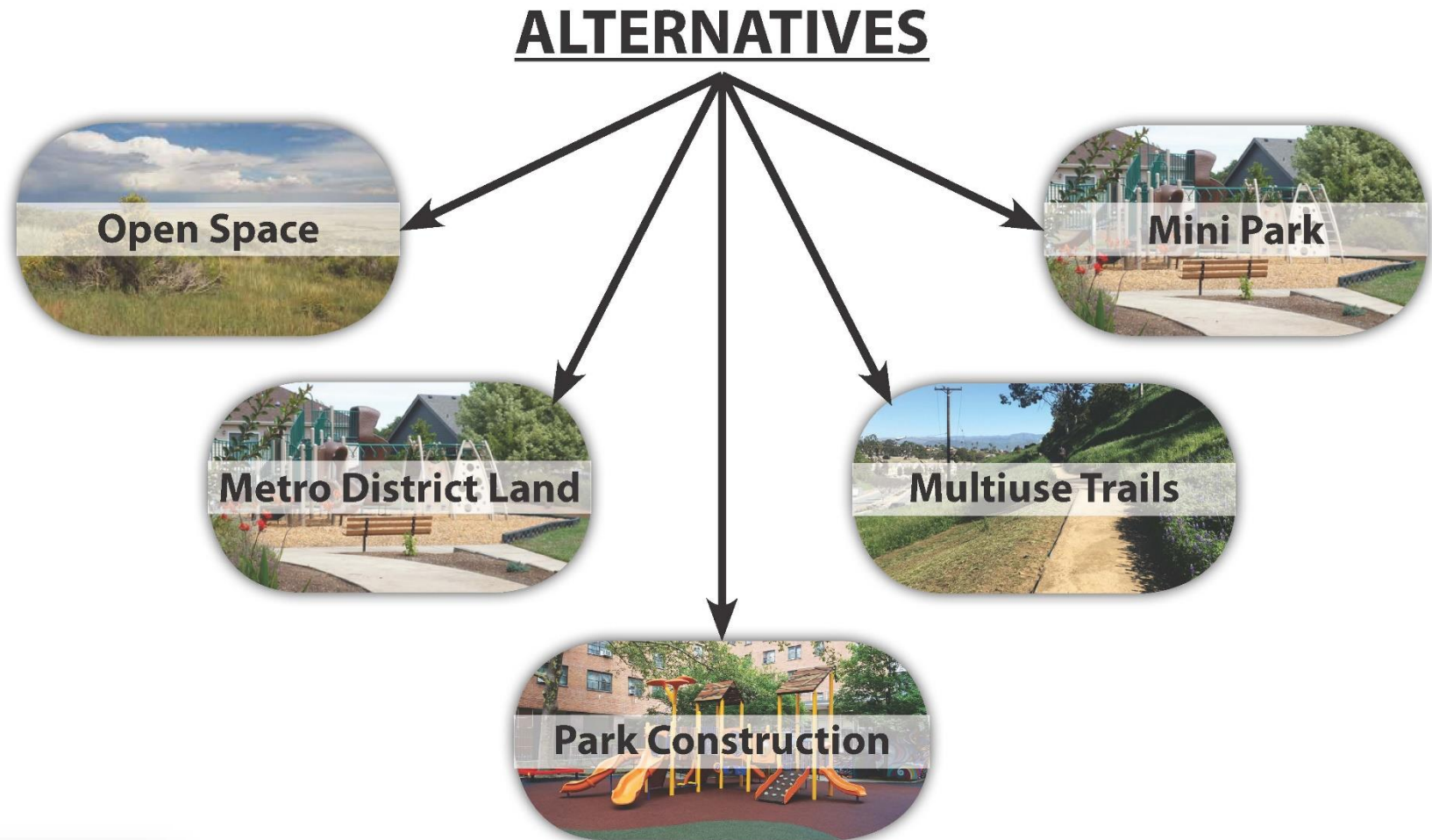
 - 11 FISHERS CANYON
 - 12 FOUNTAIN CREEK
 - 13 JIMMY CAMP CREEK
 - 14 KETTLE CREEK
 - 15 LITTLE JOHNSON
 - 16 MESA
 - 17 MIDDLE TRIBUTARY
 - 18 MISCELLANEOUS
 - 19 MONUMENT BRANCH
 - 20 NORTH ROCKRIMMON
- BASES 21-30**

 - 21 PARK VISTA
 - 22 PETERSON FIELD
 - 23 PINE CREEK
 - 24 POPE'S BLUFF
 - 25 PULPIT ROCK
 - 26 SAND CREEK
 - 27 SHOOKS RUN
 - 28 SMITH CREEK
 - 29 SOUTH ROCKRIMMON
 - 30 SOUTHWEST AREA
- BASES 31-42**

 - 31 SPRING CREEK
 - 32 TEMPLETON GAP
 - 33 WINDMILL GULCH
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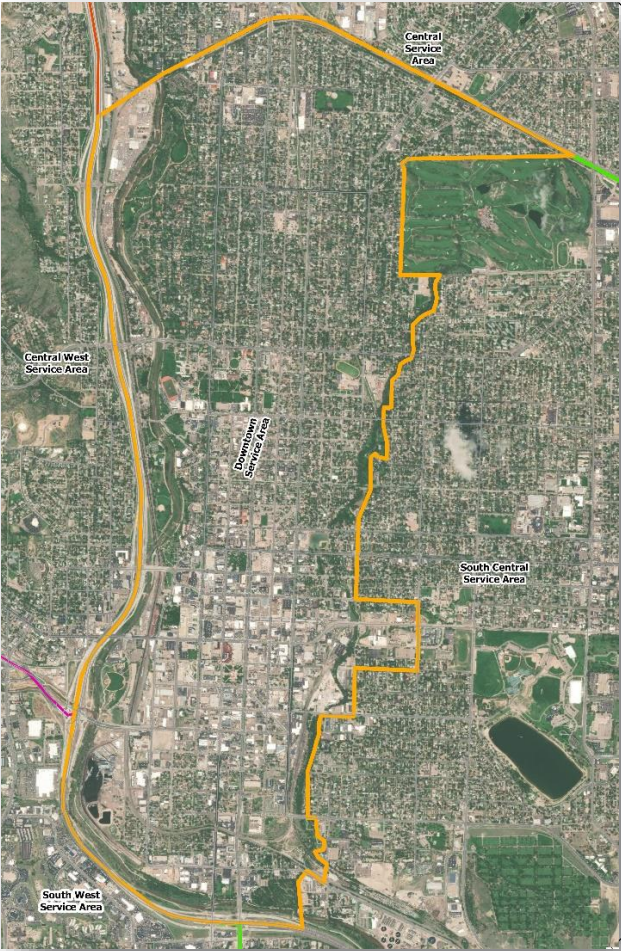
Alternative Compliance

Recommendation: Adopt Provisions for Flexibility, Fairness, & Accountability

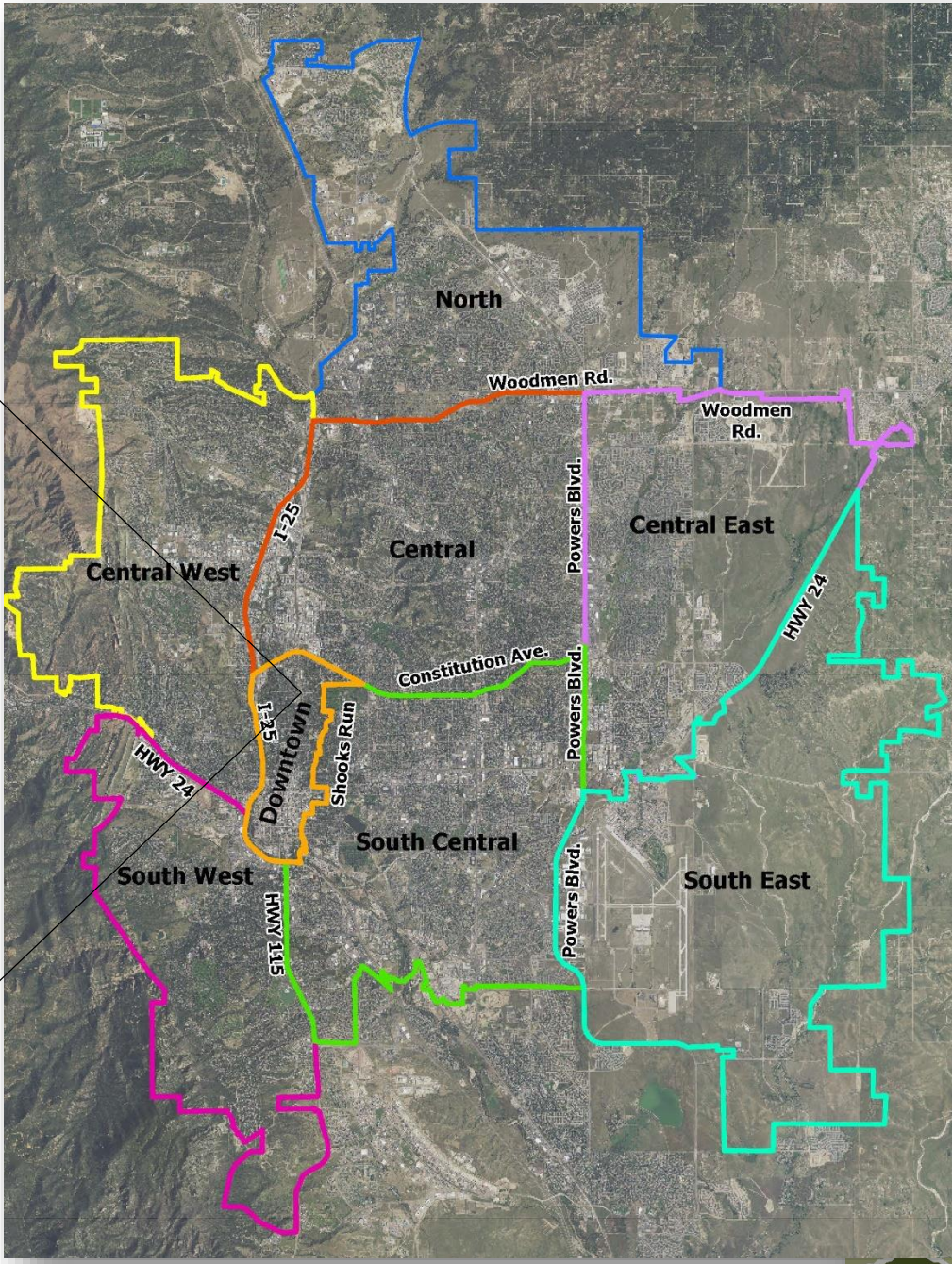


Geographic Service Areas

**Recommendation: Adopt
Neighborhood Service Areas**



DOWNTOWN



Ordinance Comparison

Standards for Dedication

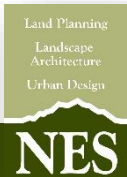
EXISTING

- Dedication for schools and parks
- City-wide service area
- Park Site Dedication:
 - 7.5 ac. per 1,000 people total for Community & Neighborhood Parks.
- 2 residential categories for dedication:
 - 8 units per acre or less
 - 3.1 people per unit
 - 8 units per acre or more
 - 2.2 people per unit
- 1974 Census Data

PROPOSED

- Separate ordinances for Park and School land dedication
- Geographical Service Areas for Neighborhood Parks
- City-wide Service Area for Community Parks
- Park Site Dedication:
 - 5.5 acres per 1,000 people total.
 - Community Park = 3.0 acres
 - Neighborhood Park = 2.5 acres
- 5 residential categories for dedication
 - Based on # of units per structure:
AHS (Average Household Size)

• 1 detached or attached	2.58 AHS
• 2 to 4	2.11 AHS
• 5 to 19	1.93 AHS
• 20 to 49	1.84 AHS
• 50 or more	1.57 AHS
- Current Census Data
- Alternative Compliance Provision



Summary of Proposed Ordinance Provisions

Land Dedication

- Average household size has decreased by 17%
- Parkland service levels in new development remain the same as existing residents
- City requirements for land dedication per person have been reduced by 27%

Fees in Lieu

- Cost of land per acre for community parks has increased by 28% - \$98,010
- Cost of land per acre for neighborhood parks has increased by 80% - \$137,649
- Fee allocation per person has increased by 11%
- Park fees in lieu per unit are as follows:
 - Single family unit from \$1,781 per unit to \$1,646 per unit or 8% reduction.
 - 2-4 units per building \$1,781 per unit to \$1,321 per unit or 26% reduction
 - 5-19 units per building \$1,264 per unit to \$1,200 per unit or 5% reduction.
 - 20-49 units per building \$1,264 per unit to \$1,187 per unit or 6% reduction.
 - 50+ units per building \$1,264 per unit to \$1,015 per unit or 20% reduction.
- Platting Fees: Example: Pine Creek \$0; Spring Creek \$11,304 per acre; Sand Creek \$20,379
- When additional commensurate amount of drainage, bridge, and pond fees are added, average fees are anticipated to be similar to current ordinance.



Scenarios

Multi-family Scenario

Description: Traditional multi-family apartments on an 11.63 acre infill site.

Density: 20.8 du/ac.

Units: 242

Change in average household size:

Current: 2.2 (532.4 residents)

Updated: 1.75 (423.5 residents)

CURRENT ORDINANCE

Land Dedication: 3.993 acres

Fees in Lieu: \$305,888 (\$574.55 per resident)

UPDATED ORDINANCE

Land Dedication: 2.304 acres

Fees in Lieu: \$268,368

Additional Platting Fees: \$46,953

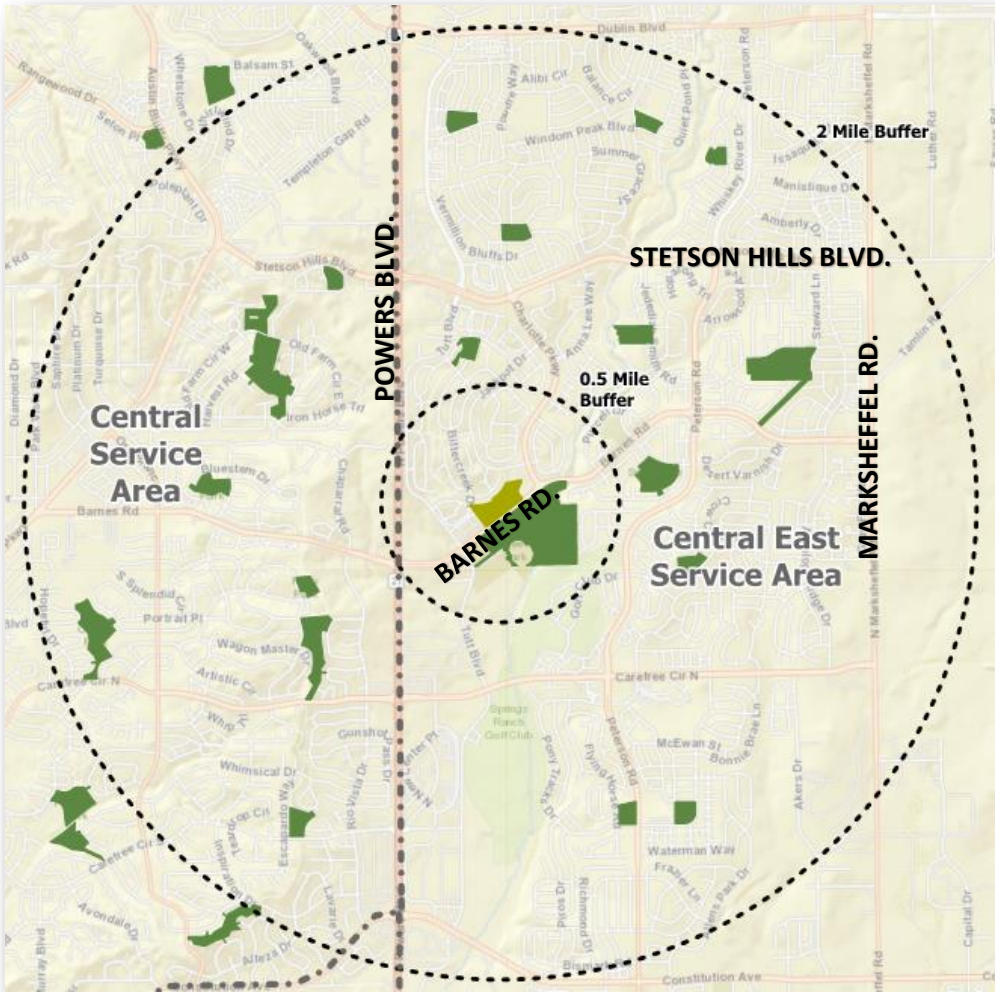
Total Fees: \$315,321 (\$744.56 per resident)

Net decrease in land: 1.689 acres (42% decrease)

Net fee increase: \$9,433 (3% increase)

Net fee increase per resident: \$170.01 (30% increase)

Net fee increase of \$44 per unit



2.3 acres of dedication or \$315,321 fees in lieu



Single-Family Attached and Detached Scenario

Description: 32 single family detached and 36 single family attached units on 12.153 acres.

Density: 5.59 du/ac.

Units: 68 units

Change in average household size:

- Current: 3.1 x 68 units (210.8 residents)
- Updated: 2.58 x 32 units (82.56 residents)
- 2.10 x 36 units (75.6 residents)
- Total residents: 158.16 residents

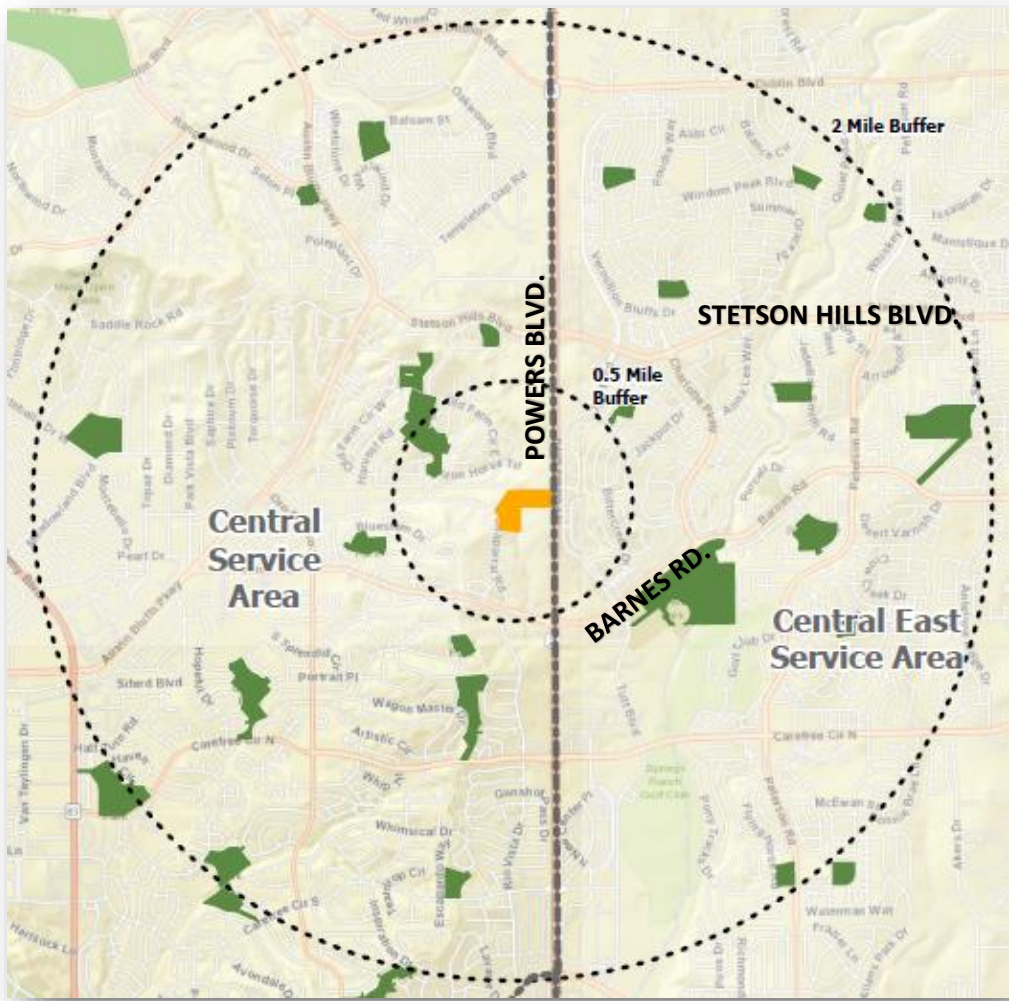
CURRENT ORDINANCE

- Land Dedication: 1.581 acres
- Fees in Lieu: \$121,108 (\$574.52 per resident)

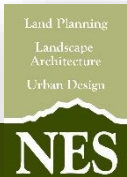
UPDATED ORDINANCE

- Land Dedication: 0.8648 acres
- Fees in Lieu: \$100,228
- Additional Platting Fees: \$17,624
- Total Fees: \$117,852 (\$745.14 per resident)**

- Net decrease in land: .7162 acres (45% decrease)
- Net fee decrease: \$3,256 (2.6% decrease)
- Net fee increase per resident: \$170.62 (30% increase)
- Net decrease of \$48 per unit



0.86 acres of dedication or \$117,852 fees in lieu



Downtown Apartment Scenario

Description: 184 units on 1.251 acres.

Density: 147 du/ac.

Units: 184 units

Change in average household size:

Current: 2.2 (404.8 residents)

Updated: 1.63 (299.92 residents)

CURRENT ORDINANCE

Land Dedication: 3.036 acres

Fees in Lieu: \$232,576 (\$574.55 per resident)

UPDATED ORDINANCE

Land Dedication: 1.6008 acres

Fees in Lieu: \$186,750

Additional Platting Fees: N/A

Total Fees: \$186,750 (\$622.67 per resident)

Net decrease in land: 1.4352 acres (47% decrease)

Net fee decrease: \$45,826 (19.7% decrease)

Net fee increase per resident: \$48.12 (8% increase)

Net fee decrease of \$249 per unit



1.6 acres of dedication or \$186,750 fees in lieu



Large Subdivision Scenario

Description: 178 units on 72.75 acres.

Density: 2.45 du/ac.

Units: 178 units

Change in average household size:

Current: 3.1 (551.8 residents)

Updated: 2.58 (459.24 residents)

CURRENT ORDINANCE

Land Dedication: 4.1385 acres

Fees in Lieu: \$317,018 (\$574.52 per resident)

UPDATED ORDINANCE

Land Dedication: 2.5276 acres

Fees in Lieu: \$292,988

Additional Platting Fees: \$50,550

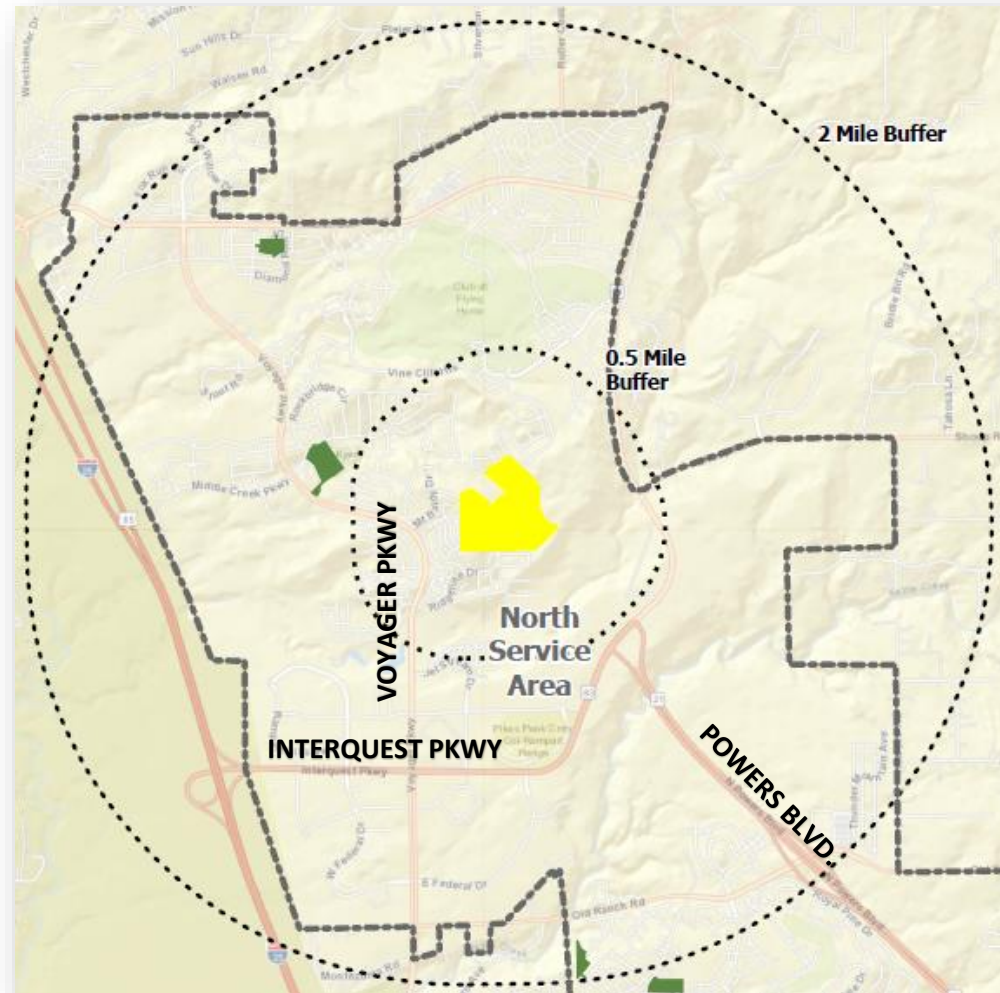
Total Fees: \$343,538 (\$748.06 per resident)

Net decrease in land: 1.6109 acres (39% decrease)

Net fee increase: \$26,520 (8.4% increase)

Net fee increase per resident: \$173.54 (30% increase)

Net fee increase of \$148 per unit



2.5 acres of dedication or \$343,538 fees in lieu

Multi-family Scenario

Description: multi-family buildings with 5-6 units in each building

Density: 15.24 du/ac.

Units: 223 units

Change in average household size:

Current: 2.2 (490.6 residents)

Updated: 1.87 (417.01 residents)

CURRENT ORDINANCE

Land Dedication: 3.6795 acres

Fees in Lieu: \$281,872 (\$574.55 per resident)

UPDATED ORDINANCE

Land Dedication: 2.3 acres

Fees in Lieu: \$266,262

Additional Platting Fees: \$25,378

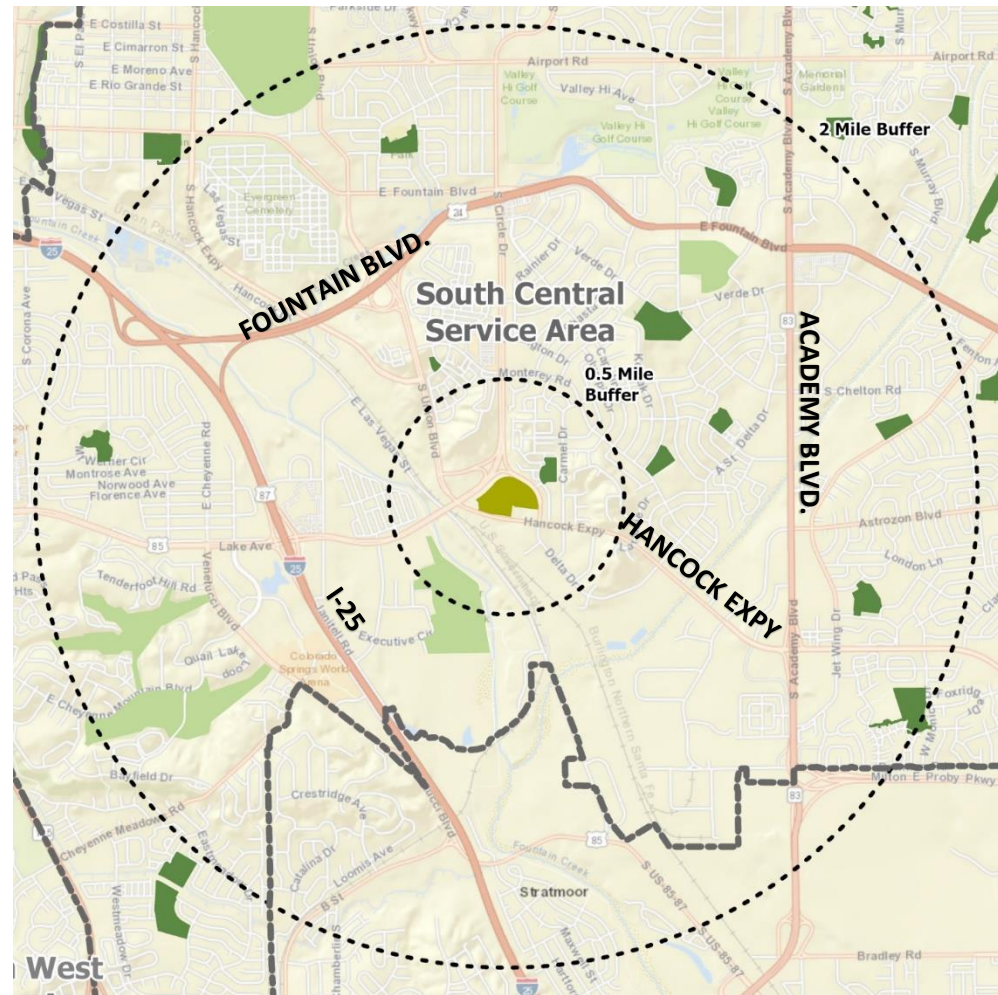
Total Fees: \$291,640 (\$699.36 per resident)

Net decrease in land: 1.3795 acres (37% decrease)

Net fee increase: \$9,768 (3% increase)

Net fee increase per resident: \$124.81 (22% increase)

Net fee increase of \$44 per unit



2.3 acres of dedication or \$291,640 fees in lieu

Next steps:

- Parks Advisory Board Work Session: **November 2nd**
- Parks Advisory Board Recommendation: **November 12th**
- Planning Commission Recommendation: **November 19th**
- City Council Work Session: **January 11th**
- City Council Public Hearing & Action: **January 26th**
- City Council 2nd Reading: **February 9th**

Questions?

ORDINANCE NO. 20-_____

AN ORDINANCE REPEALING AND REORDAINING PART 12 (PARK AND SCHOOL SITE DEDICATIONS) OF ARTICLE 7 (SUBDIVISION REGULATIONS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO PARK LAND DEDICATION

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Part 12 (Park and School Site Dedications) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is repealed and reordained as follows:

PART 12 PARK SITE DEDICATIONS

7.7.1201: POLICY AND PURPOSE:

7.7.1202: DEFINITIONS:

7.7.1203: PARK STANDARDS:

7.7.1204: DEDICATION OF LAND, REMITTANCE OF PARK FEES REQUIRED FOR NEIGHBORHOOD AND COMMUNITY PARK USES:

7.7.1205: ALTERNATIVE COMPLIANCE:

7.7.1206: PLAT REQUIREMENTS FOR PARK LAND DEDICATION:

7.7.1207: REVIEW OF REQUIREMENTS:

7.7.1208: REPLATTING OR RESUBDIVIDING:

7.7.1209: PARK LAND DEDICATION ORDINANCE CRITERIA MANUAL:

7.7.1210: APPLICABILITY OF PROVISIONS:

7.7.1201: POLICY AND PURPOSE:

It is hereby declared to be the policy of the City that whenever land is proposed for Residential Development, the owner of the land should provide for land for park needs generated by the proposed Residential Development through dedication of land, payment of park fees in lieu of land dedication, or fulfillment of the dedication requirement by Alternative Compliance. It is the purpose of this part to require the dedication of land, payment of park fees in lieu of land dedication, Alternative Compliance in lieu of land dedication, or a combination thereof, as determined by the City, to fulfill such park needs.

7.7.1202: DEFINITIONS:

The following terms shall have the meanings below, as used in this part 12:

ALTERNATIVE COMPLIANCE: Alternate methods of complying with the park land dedication

requirement as specifically enumerated in section 7.7.1205 of this part.

COMMUNITY PARK: Community parks range in size from twenty-five (25) to one hundred (100) acres. Typical facilities in Community parks include those found in Neighborhood Parks, plus athletic fields, aquatic centers, sport courts, restrooms and parking areas that serve City wide park needs.

GEOGRAPHIC SERVICE AREA: An area designated on the Geographic Services Area Map within which Neighborhood Parks are intended to collectively serve the residents within the identified service area. Geographic Service Areas do not include county enclaves or other land outside of the City limits.

NEIGHBORHOOD PARK: Neighborhood Parks range in size from three and one-half (3.5) to twenty-five (25) acres and serve residents within the Geographic Service Areas. Facilities and improvements typically found in Neighborhood Parks include playground equipment, sport courts, landscaping, picnic areas and informal fields.

PARK FEE(S): Consists of two parts, (1) the fee for an average value for one (1) acre of unplatted, undeveloped land Citywide, and (2) the applicable Platting Fees for the amount of land that Subdivider is responsible for dedicating based on the location of the Subdivision generating the required dedication.

PARKS MANAGER: The person, appointed by and reporting directly to the Mayor, charged with administrative responsibility for parks, recreation and cultural services, or the Parks Manager's designated representative.

PLATTING FEES: One part of the Park Fee calculation, consisting of review fees, drainage fees based on the location of the subdivision, and any other generally applicable fees that are due upon platting or prior to issuance of a building permit.

PLAZA: An open area usually located adjacent to buildings and often featuring walkways, trees and shrubs, and community gathering places.

MINI PARK: Mini parks range in size from one-quarter (.25) acres to three and one-half (3.5) acres and serve residents within a one-half (.5) mile radius. Facilities and improvements typically found in Mini parks are limited due to the size of the park but may include playground equipment, landscaping, and picnic areas.

RESIDENTIAL DEVELOPMENT: Residential Use Types, as defined in section 7.2.302(A) of this code, including Attached Dwelling Unit; Accessory Dwelling Unit; Dormitory, Fraternity or Sorority House; Mobile Home; Mobile Home Park; Multi-Family Dwelling; Retirement Home; Rooming or Boarding House; Single-Family Dwelling Detached; Studio or Efficiency; Two-Family Dwelling; and Human Service Establishments. However, the following types of Human Service Establishments are excluded from the definition of Residential Development: Hospice; Residential Childcare Facility; Domestic Violence Safe House, Family Support Residence, Human Service Shelter and Detoxification Center.

SPECIAL PURPOSE PARK: Park lands that can include Plazas or similar hardscape areas which vary in size and often provide developed recreational facilities, typically located

within the downtown area.

SUBDIVIDER: The owner of property, or owner's agent, who makes an application to the City to develop land for Residential Development and which generates park land needs pursuant to this part 12.

7.7.1203: PARK STANDARDS:

In the interest of the health, safety and general welfare of the people of the City, the park area standards set forth in this part are adopted to provide a guide to facilitate adequate provision of park land as the City develops.

It is hereby found and determined:

A. That a part of the public need for parks generated by an increase in population should be provided for by required dedication of land, Park Fees in lieu of land dedication, fulfillment of the dedication requirement by Alternative Compliance, or a combination thereof as determined by the City as a condition of final plat approval.

B. That it is reasonable to require the dedication of park land or payment of Park Fees to provide the following facilities:

1. Neighborhood Parks resulting in a requirement of two and one-half (2.5) acres per one thousand (1,000) persons; and
2. Community parks resulting in a requirement of three (3.0) acres per one thousand (1,000) persons.

C. That the 2018 American Community Survey administered by the United States Census Bureau shows that, in the City, there is the following average number of persons per the following residential structure types:

Single family detached residential structure	2.58 persons
2-4 units in residential structure	2.10 persons
5-19 units in residential structure	1.87 persons
20-49 units in residential structure	1.75 persons
50 units or more in residential structure	1.63 persons

D. That the resulting requirements of land to be dedicated per residential dwelling unit for Neighborhood parks is as follows:

Single family detached residential structure	0.0065 acres or 283 square feet
2-4 units in residential structure	0.0053 acres or 231 square feet
5-19 units in residential structure	0.0047 acres or 205 square feet
20-49 units in residential structure	0.0044 acres or 192 square feet
50 units or more in residential structure	0.0041 acres or 179 square feet

E. That the resulting requirements of land to be dedicated per residential dwelling unit for Community parks is as follows:

Single family detached residential structure	0.0077 acres or 335 square feet
2-4 units in residential structure	0.0063 acres or 274 square feet
5-19 units in residential structure	0.0056 acres or 244 square feet
20-49 units in residential structure	0.0053 acres or 231 square feet
50 units or more in residential structure	0.0049 acres or 213 square feet

F. That the City's requirements for regional parks, sports complexes, trail corridors, open spaces and special facilities should generally be obtained from sources other than those set forth in this part, unless agreed pursuant to an Alternative Compliance agreement.

G. That, pursuant to the requirements contained in section 7.7.1207 of this part, the average number of persons dwelling in residential units by structure types be reviewed every four (4) years to reflect current data from the United States Census Bureau.

7.7.1204: DEDICATION OF LAND OR REMITTANCE OF PARK FEES REQUIRED FOR NEIGHBORHOOD PARKS AND COMMUNITY PARKS:

As a condition of final plat approval or building permit issuance for each Residential Development, as applicable, every Subdivider shall dedicate land areas for parks at the time of plat, agree to pay Park Fees at building permit, or agree to Alternative Compliance by written agreement at the time of plat, as set forth in this part. Approval of Accessory Dwelling Units shall pay required fees in lieu of land dedication at the time of building permit.

A. Choice of Land Dedication or Park Fee in Lieu of Land Dedication:

1. Neighborhood Park and Community Park Land Dedication: Dedication of land for Neighborhood and Community parks shall be as set forth in section 7.7.1203. Any land to be dedicated as a requirement of this part shall be adaptable for use as a Neighborhood park or Community park as determined solely within the discretion of the Parks Manager. Factors used to evaluate the adequacy of proposed park areas shall include, but not be limited to, size and shape, topography, geology, flora and fauna, access, location, and conformance with City's Parks System Master Plan.

2. Action of the City: At the time of filing of a preliminary plat or final plat, the Parks Department shall indicate whether land dedication, Park Fees, or Alternative Compliance are required. If the City desires land dedication, the Subdivider shall designate the area to be dedicated by the preliminary and final plat.

3. Prerequisites for Approval of a Preliminary or Final Plat: Dedication when required shall be accomplished by plat dedication. The Subdivider shall be required to convey clear title to the land to be dedicated to the City pursuant to the City's Subdivision Code, Article 7 of this chapter.

B. Park Fees in Lieu of Land Dedication:

1. When the City determines Park Fees are required in lieu of land dedication,

the Park Fees due for each lot shall be paid to the City prior to the issuance of any building permit for the lot.

2. City Expenditure of Park Fees Collected:

a. Neighborhood Park Fees: Neighborhood Parks are intended to serve neighborhoods within a Geographic Service Area. Park Fees collected by the City for Neighborhood park dedication shall be applied within the same Geographic Service Area or an adjacent Geographic Service Area to the development in order to benefit the neighborhood for which the Park Fees were paid.

b. Community Park Fees: Community parks are intended to serve as destination parks for all City residents. Park Fees collected by the City for Community park dedication may be applied anywhere within the City to acquire, develop, or redevelop Community parks.

7.7.1205: ALTERNATIVE COMPLIANCE:

The City or the Subdivider may propose fulfillment of a requirement to dedicate land by Alternative Compliance. The Parks Manager shall make the final determination of whether the proposed Residential Development can be adequately served by Alternative Compliance. The Parks Manager's decision shall be guided by the PLDO Criteria Manual. Parks Manager approval shall be conditioned on the execution of an Alternative Compliance Agreement. The Alternative Compliance Agreement shall be contingent upon all appropriate land use approvals by the City. If the Parks Manager denies the request for Alternative Compliance, then the Subdivider shall be required to dedicate land or pay Park Fees in lieu of land dedication as provided in section 7.7.1204. The decision of the Parks Manager of whether to approve Alternative Compliance is administrative and not subject to appeal.

The following park types, or a combination thereof, may be considered Alternative Compliance:

A. Neighborhood Park Land Owned by Metropolitan Districts; Special Districts, and Common Interest Community Associations: Where non City-owned land for park purposes is provided and such land is to be used and maintained by or for the future residents of the development for park related purposes, such areas may be credited against the requirement of land dedication for Neighborhood park purposes up to a maximum of one hundred percent (100%) of the dedication requirement depending upon the extent to which the land serves the overall park and recreation needs of the future residents of the development, provided that the following standards are met:

1. That building and parking setbacks required to be maintained under the zoning and building regulations shall not be included in the computation of such land;
2. That the operation and maintenance of the land is adequately provided for by written agreement with the City;

3. That reasonable rules and regulations are established for the land and that the land remains accessible to the general public for park related uses;
4. That the use of the land is permanently designated for park purposes, by recorded document such as an easement, covenant, or by deed restriction which runs with the land and which cannot be defeated or eliminated without the consent of the City Council;
5. That the proposed land is reasonably adaptable for use for Neighborhood park purposes, taking into consideration such factors as size, shape, topography, geology, access and location; and
6. That a land use development plan or park development plan is approved by the City.

B. Multiuse Trail Corridors: For purposes of Neighborhood and Community park land dedication requirements, where approved by the Parks Manager, land for trails may be substituted for land dedication for either Neighborhood or Community parks. No trail dedication will be accepted unless the proposed trail dedication is consistent with the multiuse trail system identified within the City's Park System Master Plan, is within the land use master planned area, and is adjacent to, or within, the developed area. Land for trail corridors a minimum of fifty feet (50') wide may be credited in whole or in part against the requirement of dedication for Neighborhood and Community park purposes up to a maximum of one hundred percent (100%) of the dedication requirement. The portion of the trail dedication which satisfies Neighborhood park land dedication requirements must be located within the same Geographic Service Area serving the Subdivider's Residential Development.

C. Open Space: For purposes of park land dedication requirements, land for open space may be substituted for land for Neighborhood and Community parks. Acceptance of open space in lieu of Neighborhood and Community park land dedication shall be consistent with the Open Space Candidate Areas identified within the City's Park System Master Plan and exhibit significant natural resources and open space values. Open Space may be partially credited against the requirement of dedication for Neighborhood and Community park purposes up to a maximum of fifty percent (50%) of the park land dedication requirement.

D. Mini Parks, Plazas, Special Purpose Parks and Other Alternative Forms of Park Lands: For purposes of Neighborhood park land dedication requirements or payment of Park Fees in lieu of land dedication, where mini parks, plazas, special purpose parks or other alternative forms of park related lands are appropriate to meet park needs, mini parks, plazas, special purpose parks or other alternative forms of park related lands may be substituted for land for Neighborhood Parks, but not Community parks. Such areas may be credited in whole or in part against the requirement of dedication for park purposes up to a maximum of one hundred percent (100%) of the dedication requirement. If the land is not City-owned, then the requirements of section 7.7.1205(A)(1)-(6) shall apply.

E. Acceptance of Park Facility Construction or Expansion of Existing Park Facilities in

Lieu of Park Land Dedication: For purposes of park land dedication requirements, when the Parks Manager determines that park facility construction or expansion of an existing park facility is needed to serve the Residential Development, construction of park facilities may be substituted for park land dedication. Such areas may be credited in whole or in part against the requirement of dedication for park purposes up to a maximum of one hundred percent (100%) of the park land dedication requirement provided the following standards are met:

1. That the Subdivider and the City enter into a written agreement that identifies the specific terms and conditions for construction and expansion;
2. That new park facility construction and expansion otherwise required by zoning and building regulations shall not be included in the computation of the park land dedication requirement;
3. That a land use development plan or park development plan is approved by the City;
4. That the proposed park facility construction or expansion to be substituted for Neighborhood park dedication requirements is located within the same Geographic Service Area serving the Subdivider's Residential Development; and
5. That the proposed park facility construction or expansion is in conformance with and supports the City's Park System Master Plan.

7.7.1206: PLAT REQUIREMENTS FOR PARK LAND DEDICATION:

A. Unless otherwise provided, the Subdivider shall plat any designated park areas and shall indicate the number of acres proposed for residential uses, the number of lots, number and type of proposed dwelling units, and the number of dwelling units within each structure. The plat shall identify land dedicated to the City and reference any easement, covenant, or deed restrictions applicable to private park land. Dedication or conveyance and acceptance of the land shall state that land is to be used for park purposes.

B. Any easement, covenants, or deed restrictions for private park land shall be submitted to the City prior to approval of the final plat and shall be recorded contemporaneously with the final plat.

7.7.1207: REVIEW OF REQUIREMENTS:

A. Once every four (4) years, the Parks Board and the Planning Commission shall review this part and pertinent dwelling density data, and provide a recommendation to the City Council as to the need to amend this part.

B. Setting Park Fees: City Council shall establish Park Fees, by resolution, once every four (4) years. In addition to applicable Platting Fees, Park Fees shall include a benchmark average value for one (1) acre of unplatted, undeveloped land Citywide. Beginning in the year 2021 and every subsequent four (4) years, the Parks Department shall request that the City's Real Estate Services Manager contract with a certified land appraiser doing

business in the City, to conduct a study of the land value for one (1) acre of unplatted, undeveloped land Citywide and in each of the Geographic Service Areas. The Parks Manager shall present the study to the Parks Board and to the Planning Commission. The Parks Board and Planning Commission shall each then make a recommendation for Park Fees to City Council. Park Fees shall be administratively updated to include any Platting Fees that are amended from time to time.

C. By resolution, City Council shall adopt or amend the Geographic Service Areas boundaries, as necessary. City Council shall provide for not fewer than eight (8) Geographic Service Areas within the City, which shall be designated in a manner to ensure that park services are located in reasonable proximity to residential development.

7.7.1208: REPLATTING OR RESUBDIVIDING:

The following considerations will be taken into account when reviewing any replat of land platted prior to September 6, 1973, for which land Park Fees were paid or land was dedicated:

A. If such replat is to correct engineering errors (legal descriptions), the replat will be exempt from this part.

B. If the Subdivider provides documentation that Park Fees have been paid or land dedicated, or both, the land replatted shall be exempt from the provisions of this part unless the replat results in an increase of residential density. If residential density is increased, the owner shall pay the Park Fees in those amounts set forth in this part as applied to the new residential units. If residential density is decreased, the provisions of this part shall not apply. No credit for land or fees previously dedicated or paid will be granted in the event a replat results in a decrease of residential density.

7.7.1209: PARK LAND DEDICATION ORDINANCE CRITERIA MANUAL:

The City Council shall review and adopt by resolution a Park Land Dedication Ordinance Criteria Manual ("PLDO Criteria Manual") which may be amended from time to time and which provides the Parks, Recreation and Cultural Services Department policies and standard procedures regarding the administration of this part.

7.7.1210: APPLICABILITY OF PROVISIONS:

This part shall apply to all plats which have not satisfied both of the following conditions prior to August 28, 1974:

A. The preliminary or final plat must have been approved by the City Council or the Board of County Commissioners of the County of El Paso; and

B. The preliminary or final plat must have satisfied all prerequisites of plat approval imposed by this chapter and all provisions and stipulations imposed by the City Council or all prerequisites of plat approval imposed by the Board of County Commissioners of the County of El Paso.

Section 2. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 3. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2020.

Finally passed: _____

Council President

Mayor's Action:

- ☐ Approved on _____.
- ☐ Disapproved on _____, based on the following objections:

Mayor

Council Action After Disapproval:

- ☐ Council did not act to override the Mayor's veto.
- ☐ Finally adopted on a vote of _____, on _____.
- ☐ Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:

Sarah B. Johnson, City Clerk

COLORADO SPRINGS PARKS, RECREATION AND CULTURAL SERVICES DEPARTMENT
Parks, Recreation and Cultural Services Advisory Board

Date: November 12, 2020

Item Number: Action Item # 2

Item Name: Parkland Dedication Ordinance Updates

Summary: This item provides for review and approval of an updated parkland dedication ordinance after a 26 month long process of taskforce meetings, other types of public meetings and stakeholder input.

Background:

The City of Colorado Springs has a parkland dedication ordinance which requires dedication of land or payment of fees in lieu of land to provide for public, neighborhood and community parks when new residential development is proposed for the City.

Although governments do have the authority to require park land dedication and fees, municipalities also need to be careful to not cause an unconstitutional “taking” of private property for public use in violation of the Fifth Amendment of the U.S. Constitution. In reviewing where the line is on an unconstitutional taking, the U.S. Supreme Court has required a “rough proportionality” between the conditions imposed on a developer to provide their property for the park site/s and the demand for park services generated by the development proposal. While “no precise mathematical calculation is required...the city must make some sort of individualized determination that the required dedication is related both in nature and extent to the impact of the proposed development.”

The existing City of Colorado Springs parkland dedication ordinance needed to be updated. First it references outdated United States Census information and concepts from the 1970s. Second, a City Audit recognized that the existing ordinance was not in alignment with the level of service identified in the current Park System Master Plan. In fact this misalignment dates back to park planning documents from the year 2000. Third, land values associated with the fee in lieu of land dedication option had not been updated since 2007 and consequently did not reflect the current market. This placed the Parks Department at a disadvantage in terms of buying power.

During the 26 month updating process undertaken so far, in addition to understanding what parkland dedication requirements should do, numerous aspects of what it also is not designed to achieve were highlighted. First, parkland dedication requirements apply to new residential development but they do not address the park needs associated with existing residential development. Second, they do not apply to nonresidential development such as commercial, office or industrial uses. Finally, and importantly,

parkland dedication requirements are not currently designed to provide for construction, maintenance or operation of those parks. Although the PLDO Taskforce was interested in achieving these goals, the consensus of the Taskforce was that other tools are needed to accomplish those goals.

The PLDO Taskforce did emphasize the following guiding principles for updating the ordinance.

- Maintain Quality of Life/Level of Service
- Affordability
- Achieve Equity and Fairness
- Achieve Greater Flexibility

The proposed ordinance provides for regularly updated census information and refines the density associated with various housing types. The Taskforce learned that compared to the 1970's, modern day conditions demonstrate that fewer residents occupy the same number of structures. Because fewer people are being served, the need for the parkland is reduced as well.

The proposed ordinance also requires an appraisal process for the land values to be regularly performed so that market values are accurately reflected in the fee structure. This means that the Parks Department will better maintain the buying power to purchase park sites with the fees in cases where it is not feasible for the development to dedicate the land necessary for the parks. Another proposed improvement is introduction of an additional component of value for the platting process. This would entail an additional fee that reflects the cost to the Department to plat the park land for park development. Because these fees vary widely across the City, this was identified as being more equitable to both the business community and to the Department because it more accurately reflects the true cost to develop the park site.

Finally, to achieve flexibility for the Department, the concept of alternative compliance was added to and regulated by the proposed ordinance. In the past, staff has desired to recognize performance by the developer that would achieve better outcomes for the park system. The ordinance did not specifically address this kind of flexibility. One example codifies the Board and Departments' policy preference to encourage the formation of a special district to own, construct, operate and maintain the park for public use. This is now captured in the proposed ordinance in the form of alternative compliance. Alternative compliance may also be considered for trail corridors, park improvements and open space dedication in instances where those forms of compliance would provide a better outcome for the park system. The Taskforce and parks staff are also cognizant that the risk associated with overuse of the alternative compliance options is ultimately an erosion of the level of service, which is generally measured in a number of park acres per 1,000 residents.

Finally, the updated provisions in the proposed ordinance provide substantially better legal compliance than is reflected in the existing ordinance because the revised

dedication requirements provide the “rough proportionality” and required nexus between the parkland need generated by the development and the requirements imposed on the development applicants for land dedication or payment of fees in lieu of the land dedication.

Stakeholder process:

PR & CS Advisory Board Meetings provide opportunity for public comment. Regular updates in the form of work sessions for the Planning Commission and the PR & CS Advisory Board also provided information to the public. Individual stakeholder briefings were conducted over the course of the revision of the ordinance. The approval timeline and process for consideration and adoption of the updated ordinance is:

PR & CS Advisory Board Work Session	November 2, 2020
PR & CS Advisory Board consideration	November 12, 2020
Planning Commission consideration	November 19, 2020
City Council Work Session presentation	January 11, 2021
City Council Regular Session consideration	January 26, 2021
City Council Regular Session second reading	February 9, 2021

Board/Commission Recommendation:

On Friday October 30, 2020 the small group task force recommended the modifications to the PLDO Taskforce for consideration. On Monday, November 2, 2020, the Parkland Dedication Ordinance Task Force recommended the draft ordinance and criteria manual for consideration by the PR & CS Advisory Board.

Alternative:

The PR & CS Advisory Board may recommend approval, disapproval, or modification of the draft ordinance and criteria manual updating parkland dedication requirements.

Staff Recommendation:

Staff recommends that the PR & CS Advisory Board recommend approval by City Council of the updated Parkland Dedication Ordinance and the criteria manual.

Proposed Motion options:

Move to recommend the draft parkland dedication ordinance and criteria manual updates to City Council.

Urban Forest Management Plan

Parks and Recreation Advisory Board

November 12, 2020

Dennis Will,
City Forester



City Forestry's Mission Statement



To manage our urban forest in a healthy, safe, and sustainable state, which maintains our original forest legacy, manages risk, and increases the canopy coverage for shade, stormwater retention, and property value.



Code Establishing City Forestry Obligations



- 4.4.101A - It shall be unlawful for any person to plant, prune, control insects and diseases, remove, destroy, cut, deface or in any way injure any tree or shrub upon a public way of the City without the approval of the City Forester.
- 4.4.105B2 - Within the rights of way, the City shall provide maintenance (insect and disease control, pruning and removal) of trees only.

Plan Purpose

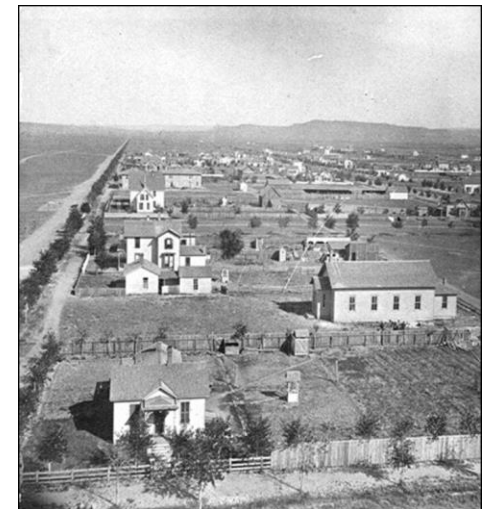


- Establish a baseline assessment of the urban forest resource, resources for management, and the community engagement framework.
- Provide management options based on the availability of resources or changes in tree maintenance responsibility.
- Provide analyses of urban forest management criteria to assist City Forestry in achieving greater levels of service.
- Provide the criteria for achieving goals of sustainable urban forest management in a phased approach based on available resources.
- Be a living document by providing the framework and guidance for adaptive management.

Benchmarking



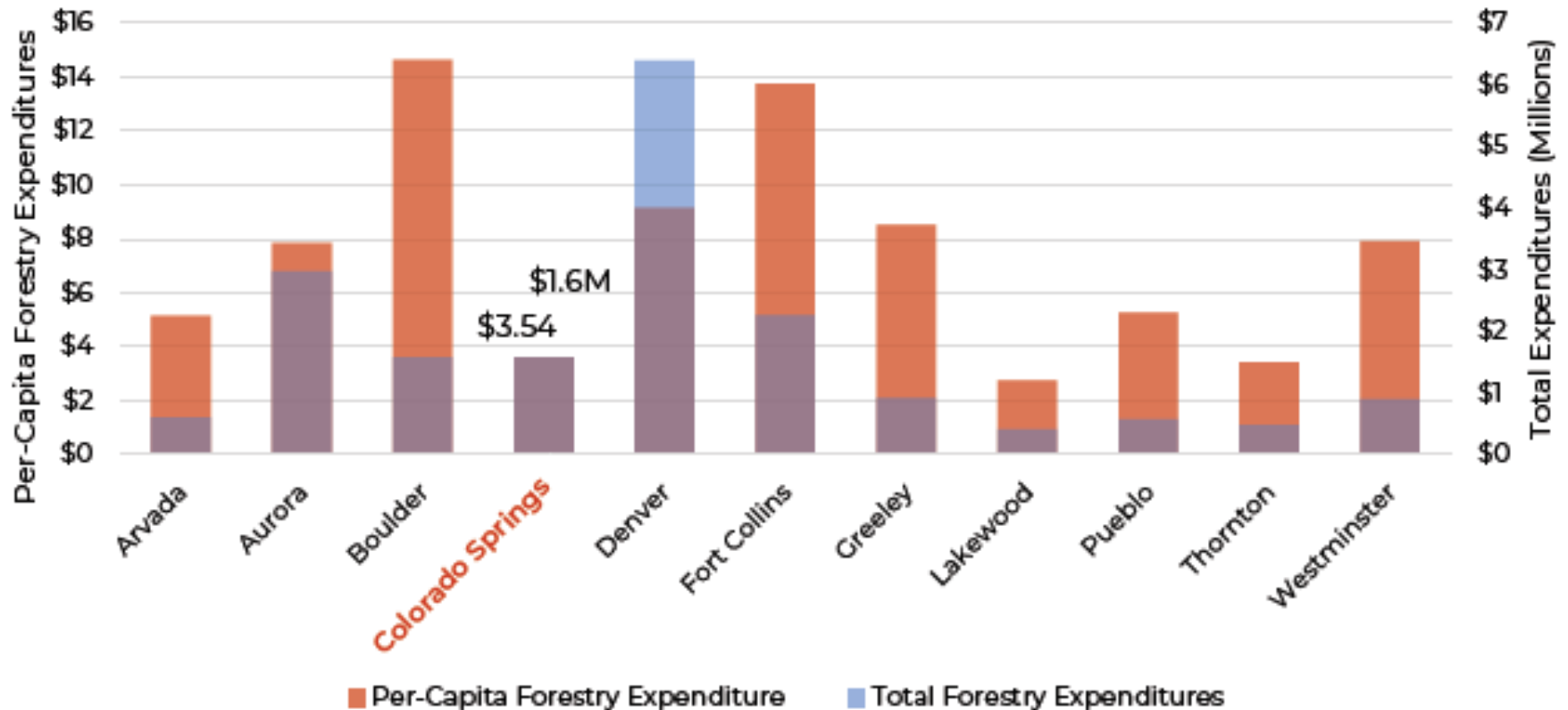
- In this analysis, Colorado Springs is compared with generalized averages of 660 cities of a similar size (250-500K population) and geographic location (Western)
- Colorado Springs was also compared to 3,400 Tree City USA communities across the nation
 - We have been a TCUSA city for 44 years!
- Comparison Cities:
 - Aurora Boulder Fort Collins
 - Longmont Lakewood
 - Golden Brighton



Benchmarking



Forestry Program Expenditures of Colorado Cities



Urban Forest Management Plan Goals



- *I. Tree Policies*
- *II. Staffing*
- *III. Budget and Funding*
- *IV. Assessments and Plans*
- *V. Green Asset Management*
- *VI. Community Engagement*

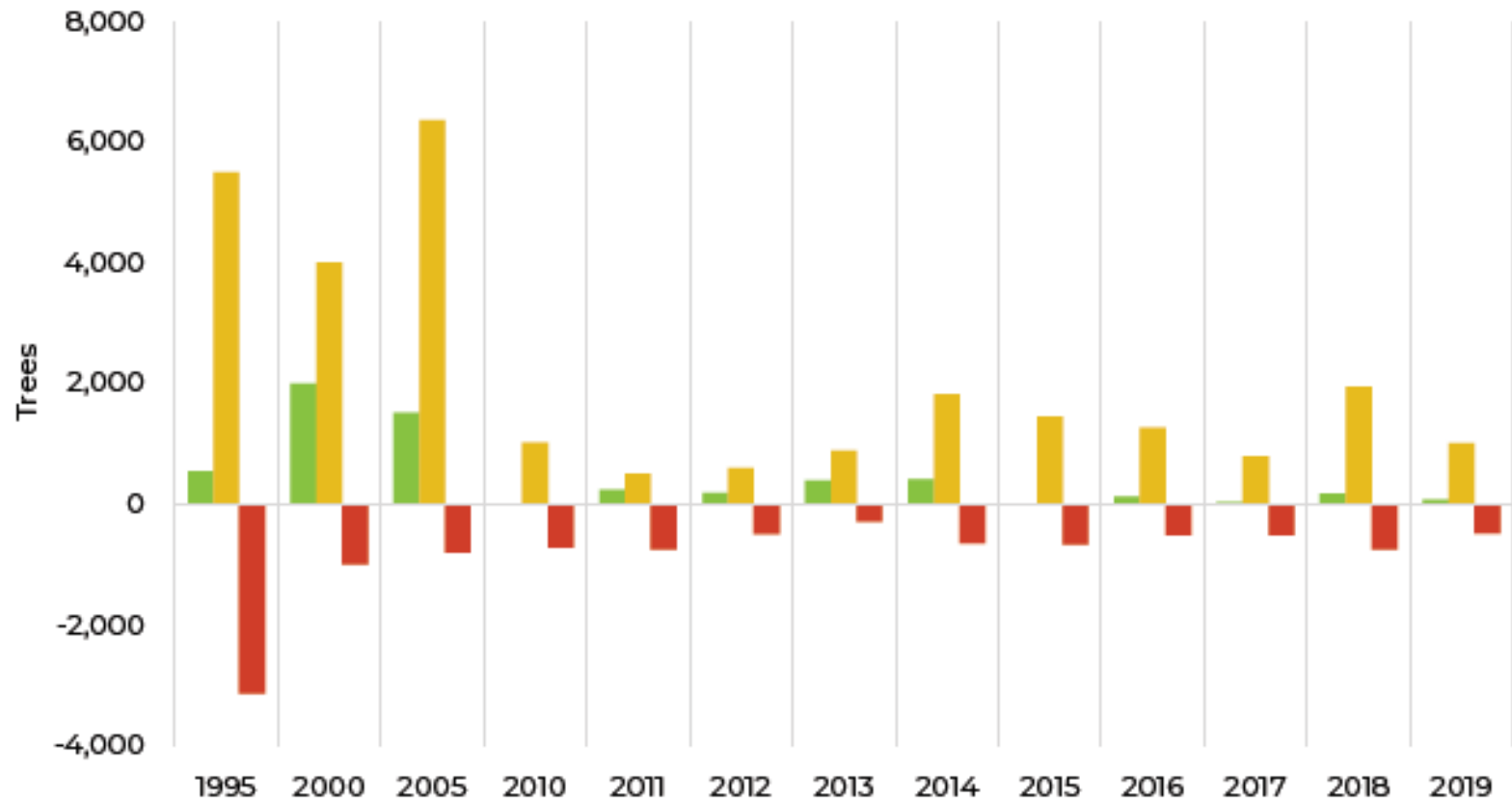


What Do We Have?



Tree Activities in Colorado Springs

■ Trees Planted ■ Trees Pruned ■ Trees Removed

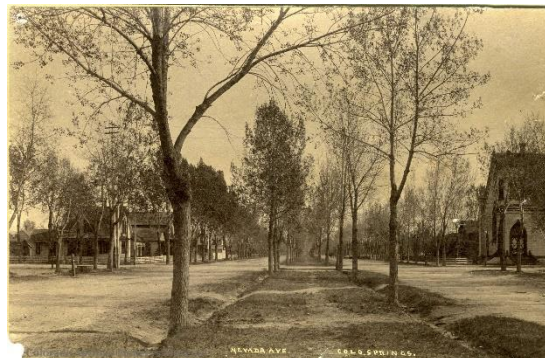


What Do We Have?



Resource	Current	Recommended
Budget per public tree*	\$5.77	\$27.41
Total Forestry budget	\$1.6M	\$7.8M
Full-time staff	11	27
Trees per full-time staff*	24,454	10,000

*Note: These numbers are a result of the 7-year pruning rotation study based on ~270,000 public trees estimated by the City during the 2020 Urban Forest Management Plan. *Actual numbers are unknown.*



What Do We Have?



	Current	Recommended	Difference
Maintenance Budget Update Total	\$1,558,037	\$7,400,650	\$5,842,613
Trees Pruned Per Year	3,700 (1.4%)	38,571 (14%)	34,871
Pruning Cycle	73 years	7 years	-66 years



How Are We Going to Get There?



MANAGEMENT SCENARIO A	MANAGEMENT SCENARIO B	MANAGEMENT SCENARIO C	MANAGEMENT SCENARIO D
(MSA)	(MSB)	(MSC)	(MSD)
"Baseline Conditions"	"Additional but Insufficient Funding"	"Tree Maintenance Responsibility Transfer"	"Optimal Support"
Minimum service level, reactive management	Improved service level, reactive and proactive management	High service level, proactive management	High service level, proactive management

How Are We Going to Get There?



Priority	Effort	Co-benefit	I. Tree Policy Actions	Lead*/Year
A. Code Language				
I.A.1	Update the Forestry Rules and Regulations based on recommendations provided in Appendix V of the 2020 Urban Forest Management Plan (UFMP). Update the Landscape Code and Policy Manual, as necessary.	PRCS , PDD, PWD		
Priority	Effort	  		Target Year: 2021



Key Issues



- Budget uncertainty
- Rapidly growing community
- Drought and increased tree mortality, xeric trends, water restrictions and rising costs
- Unknown quantity and status of street tree inventory
- Imminent threat of Emerald Ash Borer
- Unknown community buy-in
- Continued damage from infrastructure repair
- Extensive code, rules and regulations revisions
- Continued deferred maintenance since 2008

Key Findings



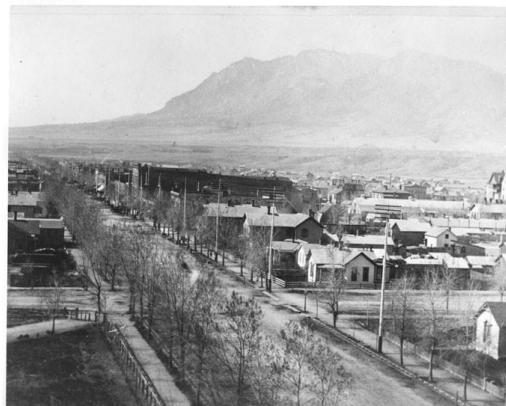
- A municipal street tree program results in net benefits for Colorado Springs residents
- Routine maintenance is more efficient and cost effective than reactive management
- Resources for comprehensive urban forest management are insufficient



Recommendations



- Complete the City's street tree inventory
- Update tree policies
- Evaluate funding options
- Undertake a comprehensive public outreach campaign



Contact Info



- Desk: 385-6550
- Email: Dennis.Will@coloradosprings.gov



Forestry Staff, 2020



CEMETERY ENTERPRISE UPDATE

Parks, Recreation and Cultural Services Advisory Board
November 12, 2020

Kim King,
Recreation and Administration Manager

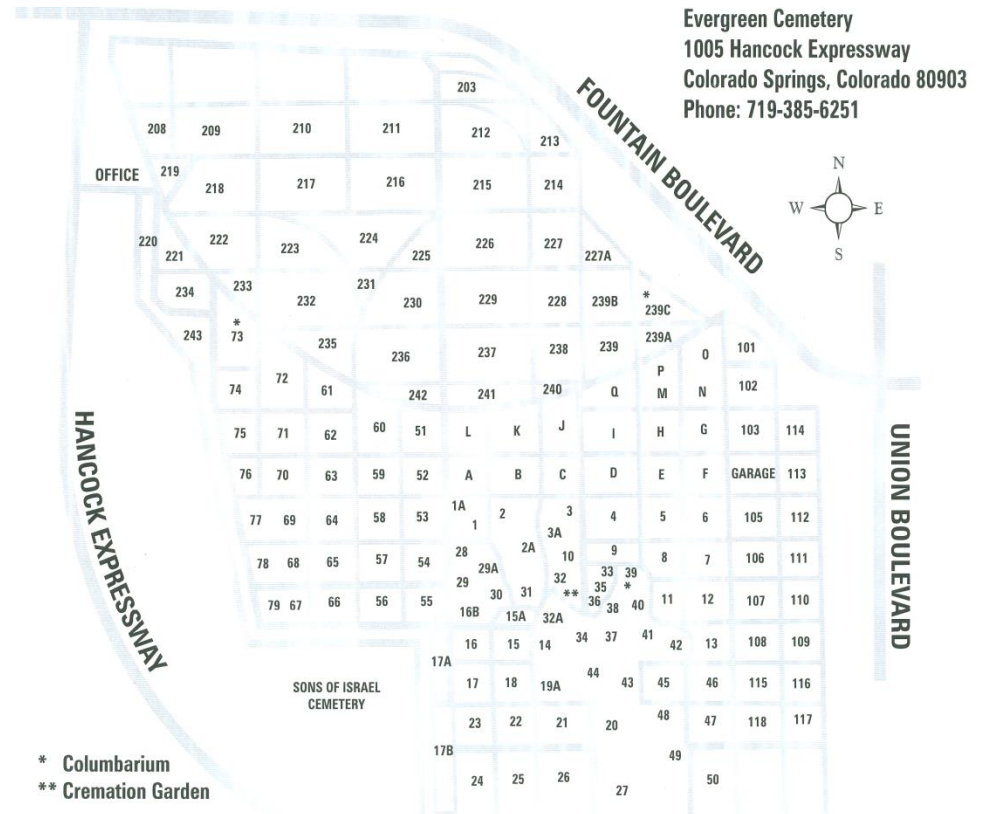
Kelly Stevenson, Cemetery Supervisor



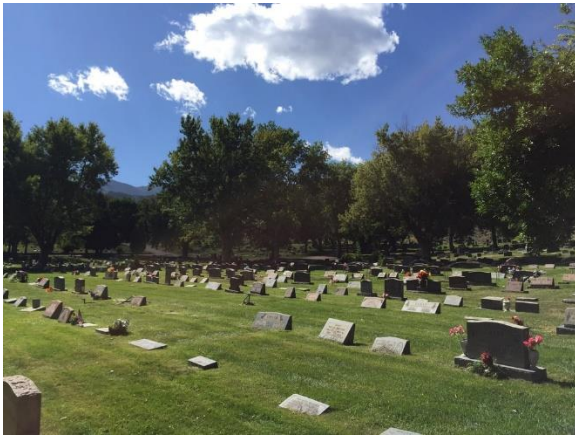
Evergreen Cemetery



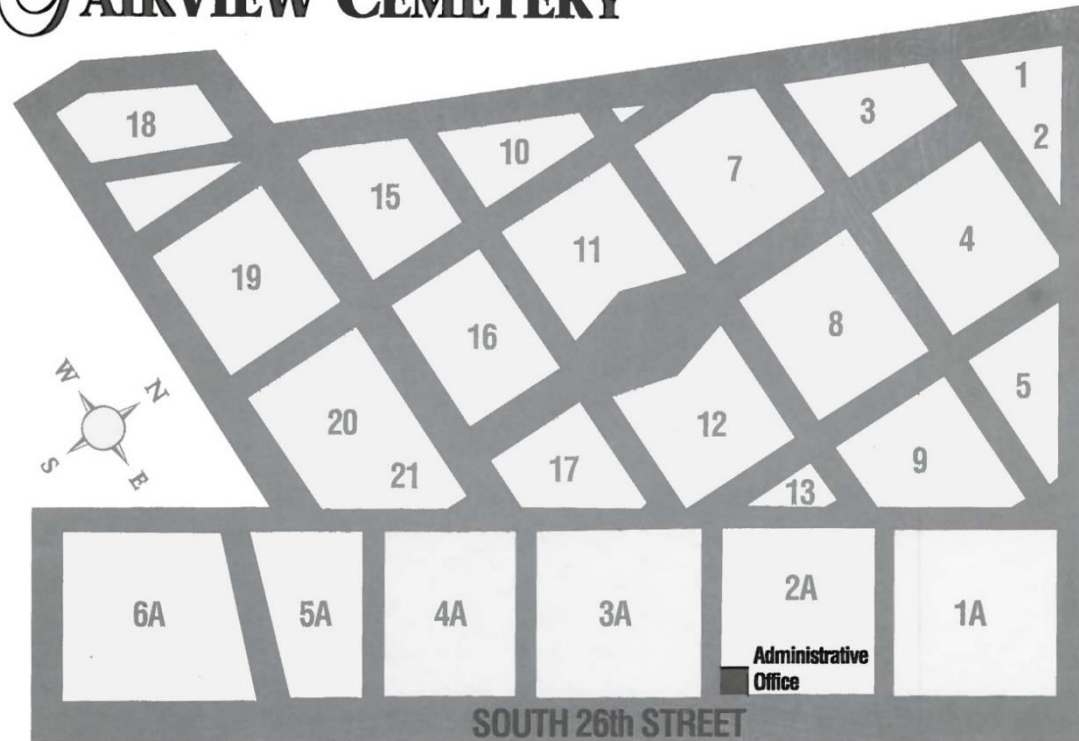
- 1875 – Evergreen established
- 1993 – Evergreen placed on National Register of Historic Places
- 185 acres
- Approx. 85,000 occupied spaces
- 30 to 40 years of inventory remaining – 8000 spaces within developed areas
- 5 acres undeveloped



Fairview Cemetery



Fairview Cemetery

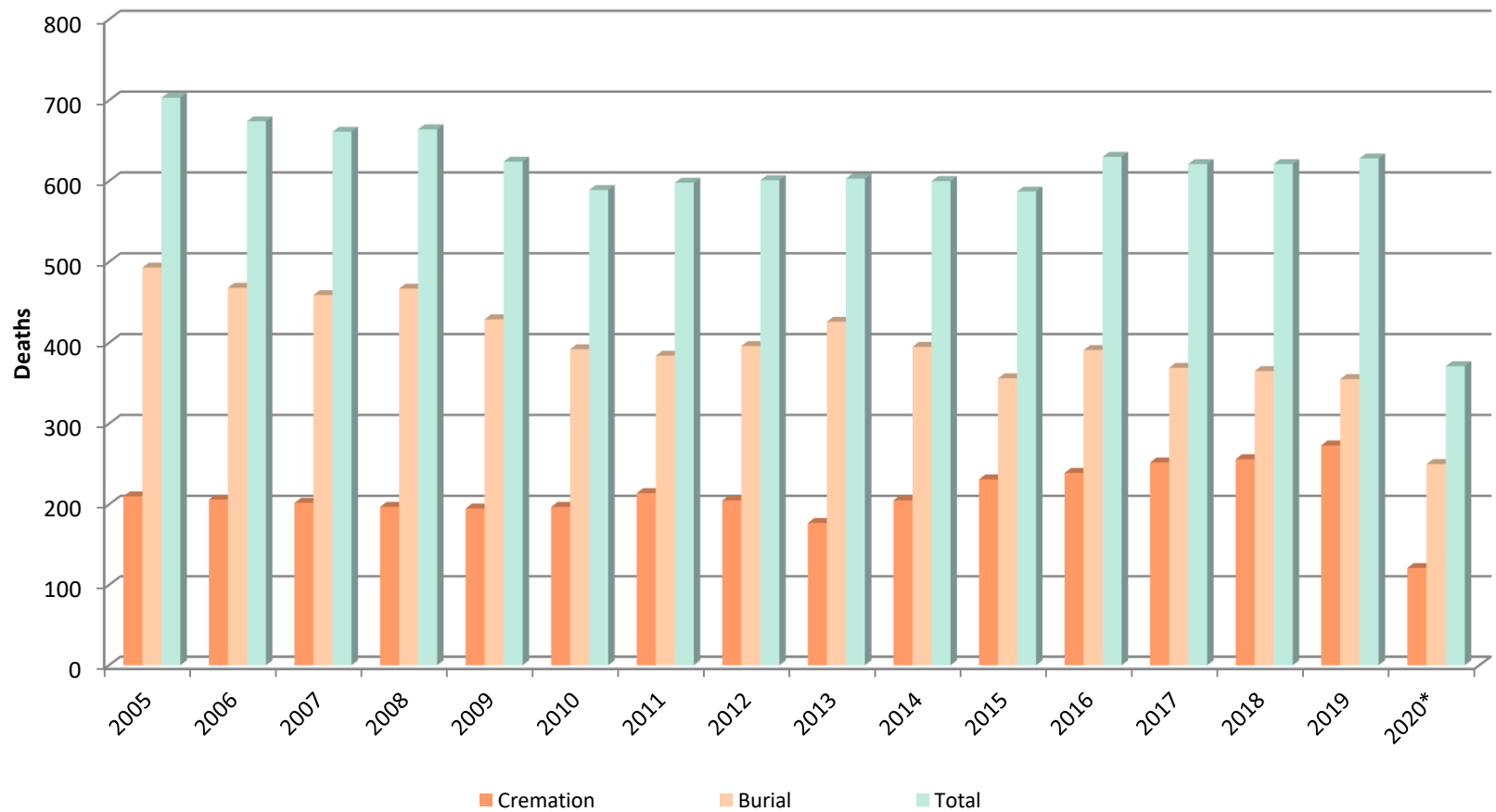


- 1895 – Fairview established
- 1917 – Annexed by the City
- 28 acres
- Approx. 12,500 occupied grave spaces
- Essentially full - only random spaces remaining
- Explore opportunity to sell southern half of Fairview and reinvest profit in site's irrigation system and other capital needs

Service Levels



**CEMETERY ENTERPRISE
(2005 THRU 2020*)**

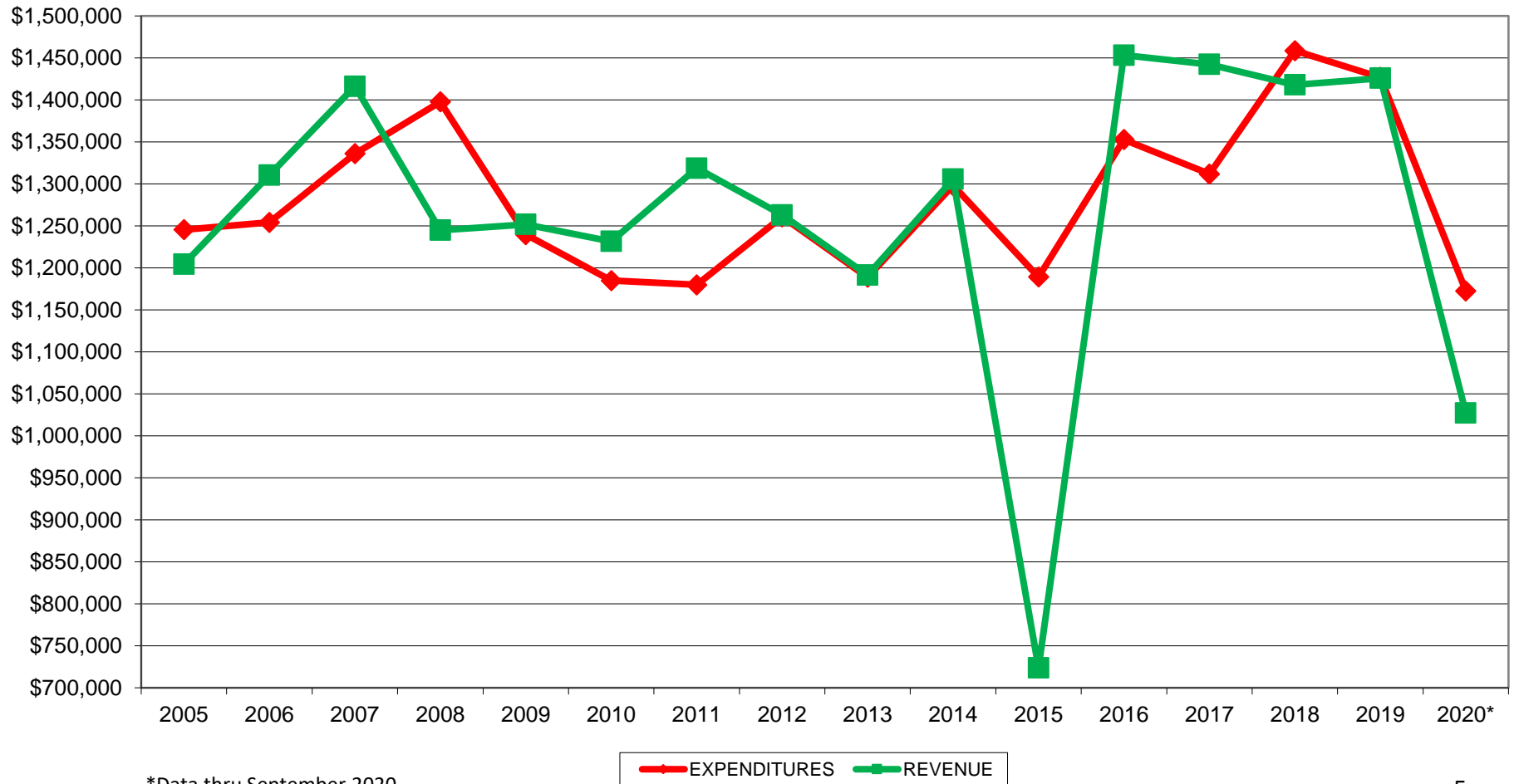


*Data thru September 2020

Revenue vs Expenditure

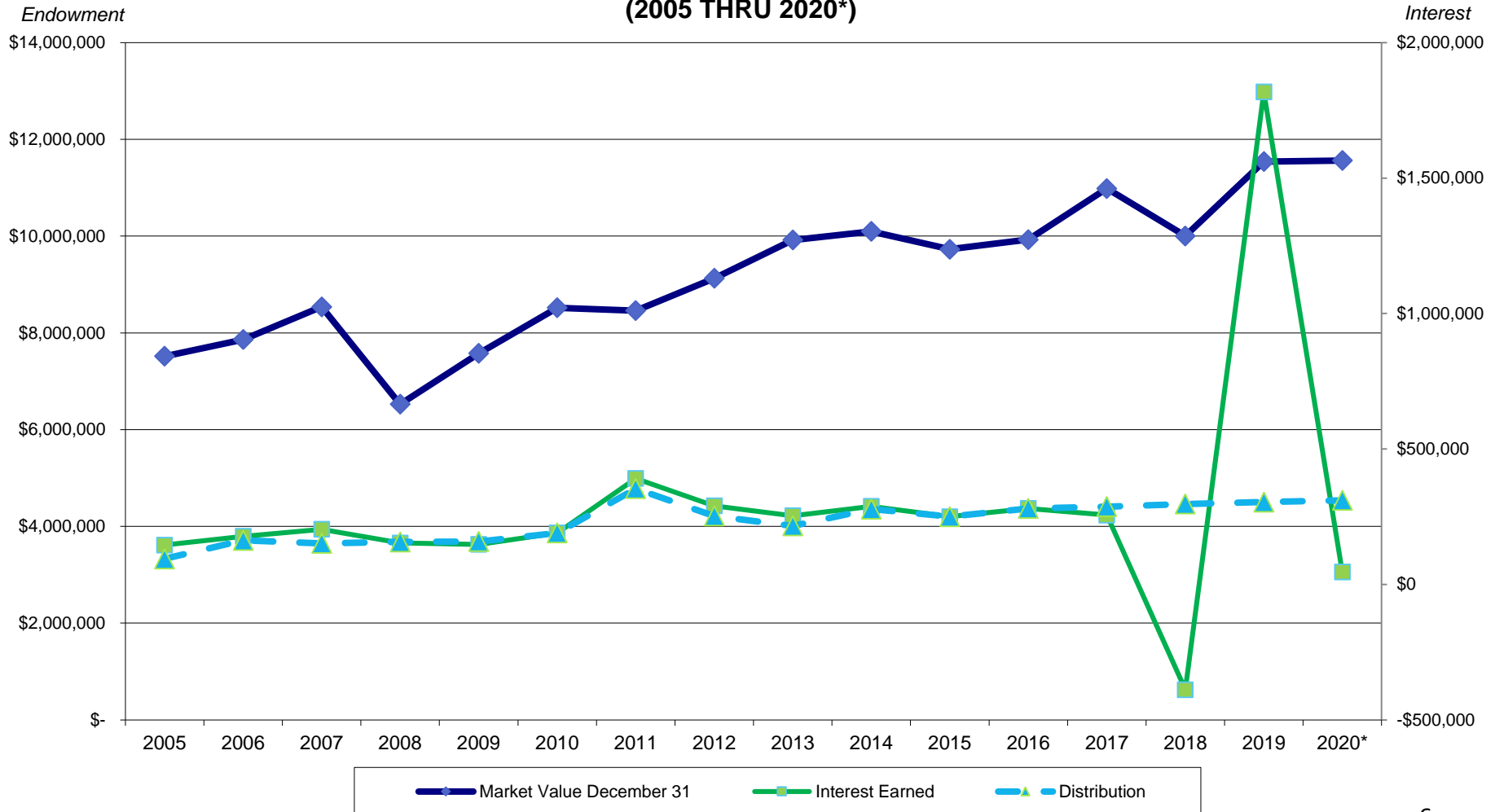


**CEMETERY ENTERPRISE
REVENUE VS EXPENDITURE (2005 – 2020*)**



*Data thru September 2020

CEMETERY ENTERPRISE - ENDOWMENT BALANCE VS INTEREST DISTRIBUTION (2005 THRU 2020*)

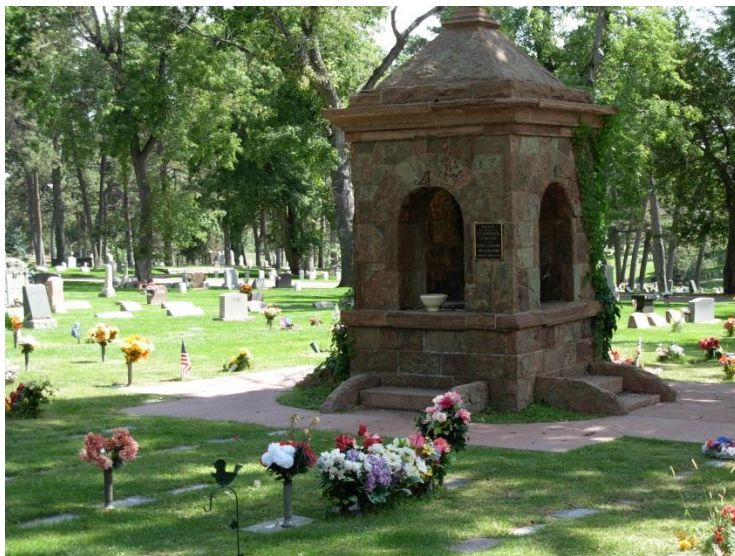


- Pikes Peak National Cemetery opened October 2018
 - Currently tracking military interments through upgraded software to refine impact to projected revenues
 - 25 in 2018 (4% of total burials)
 - 57 in 2019 (9% of total burials)
 - 44 thru September 2020 (11% of total burials year to date)
 - Continue to offer military discounts and monitor purchases
- Exploring alternative operating models including partnerships and elimination of enterprise status due to following factors:
 - Request for Information (RFI) conducted in 2019 was non-responsive
 - Expenses continue to increase: irrigation; maintenance; staffing
 - Capital needs continue to increase: new columbarium; aged fleet and equipment

Plans for 2021



- Fee increases approved for 2021 – will implement at the first of the year
- Historic Structure Assessment completed for Original Stone Office, Chapel and Wishing Well. Next steps include:
 - Establishing repair priorities
 - Pursuing additional grants



Questions?



"A cemetery is a museum that tells the story of a community" – Landscape Architecture Magazine, Sept 2015



Parks, Recreation, and Cultural Services Department 2021 Budget Overview



2021 Budget available on City Website at
<https://coloradosprings.gov/budget/page/city-budget>

Sections of interest:

Mayor's Letter

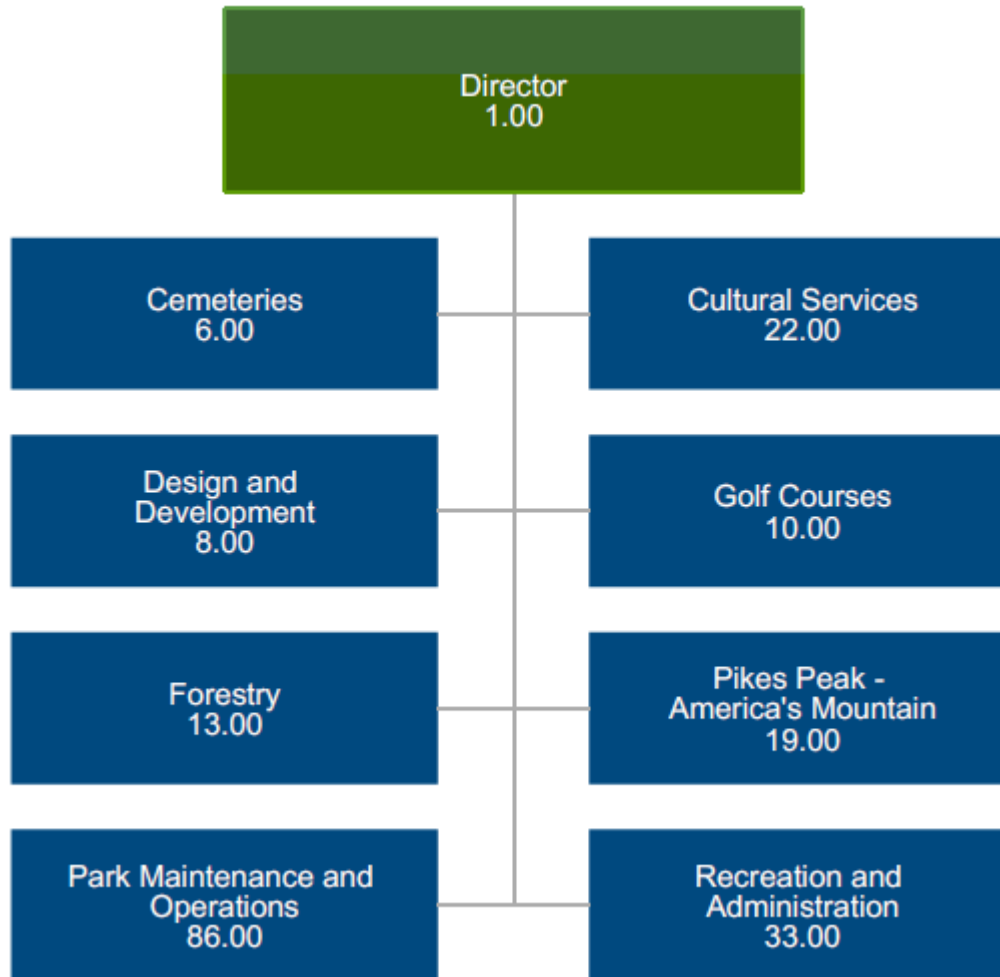
Community Profile

General Fund Financial Forecast

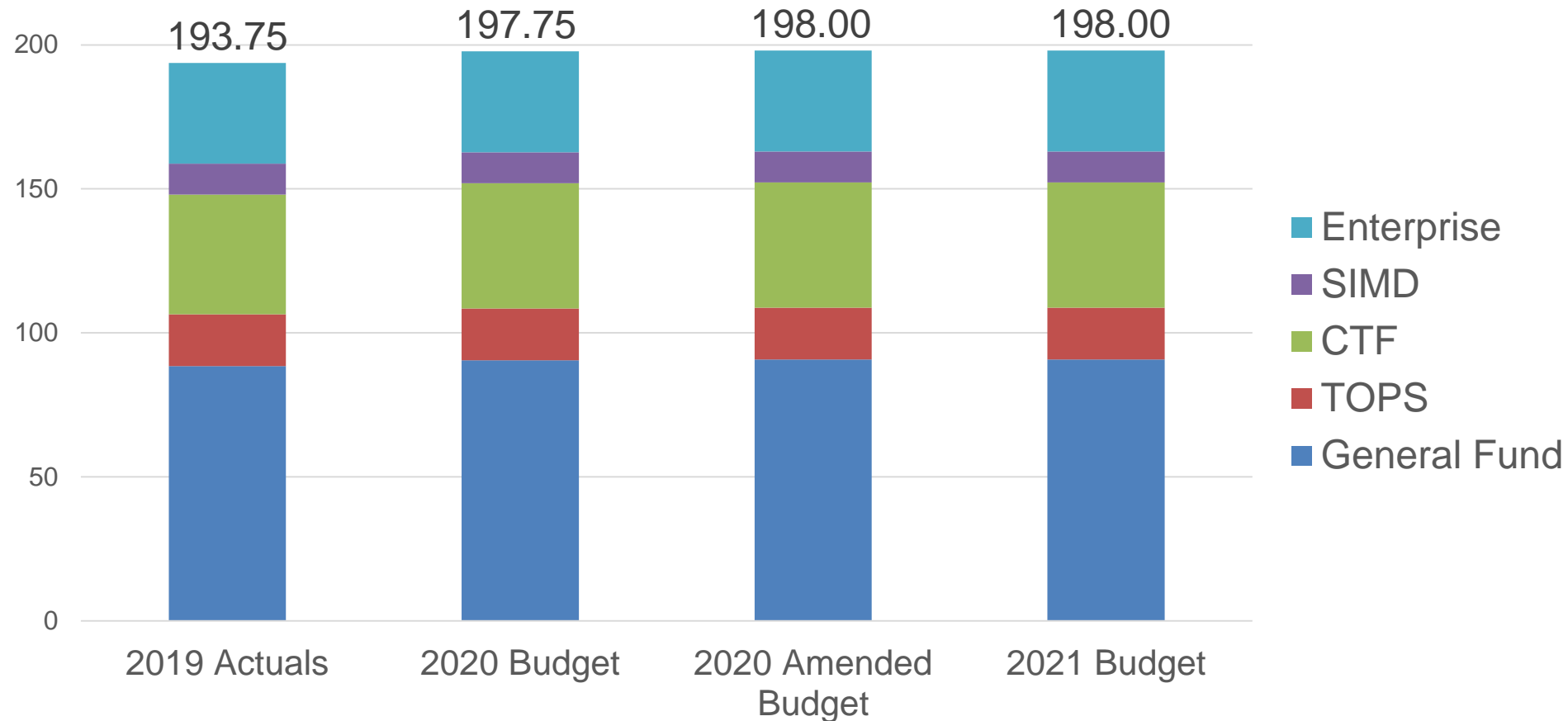
PRCS Budget – Chapter 19

Capital Improvement Program

Parks, Recreation, and Cultural Services



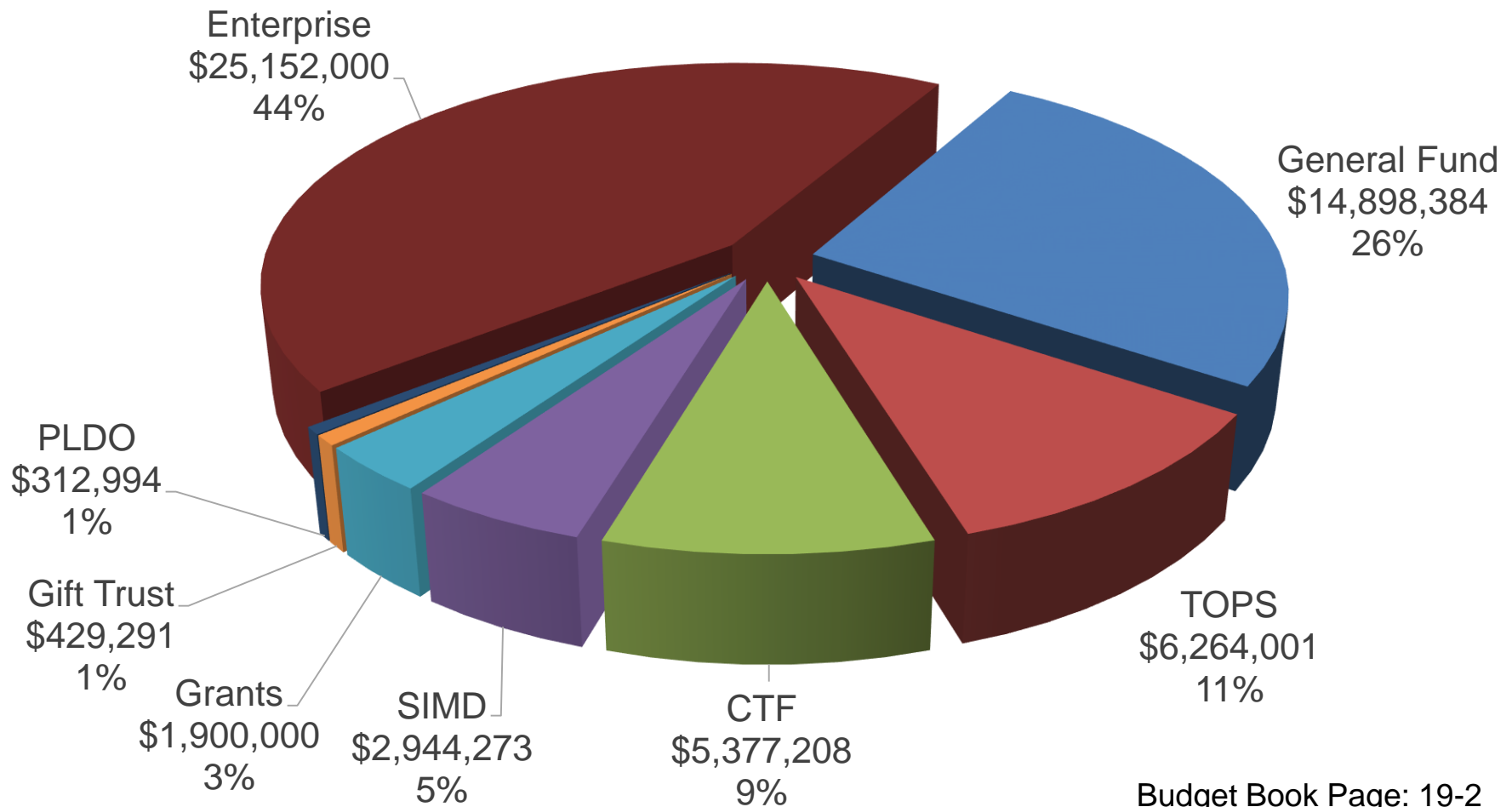
All Funds Position History



Parks, Recreation, and Cultural Services Department



2021 Total Funding - \$57,278,151



Budget Book Page: 19-2

Additional GF support:

Utilities - \$6,993,086 from General Costs

Total Budget \$64,271,237

GF Total \$21,891,470

Increase GF % to 34%

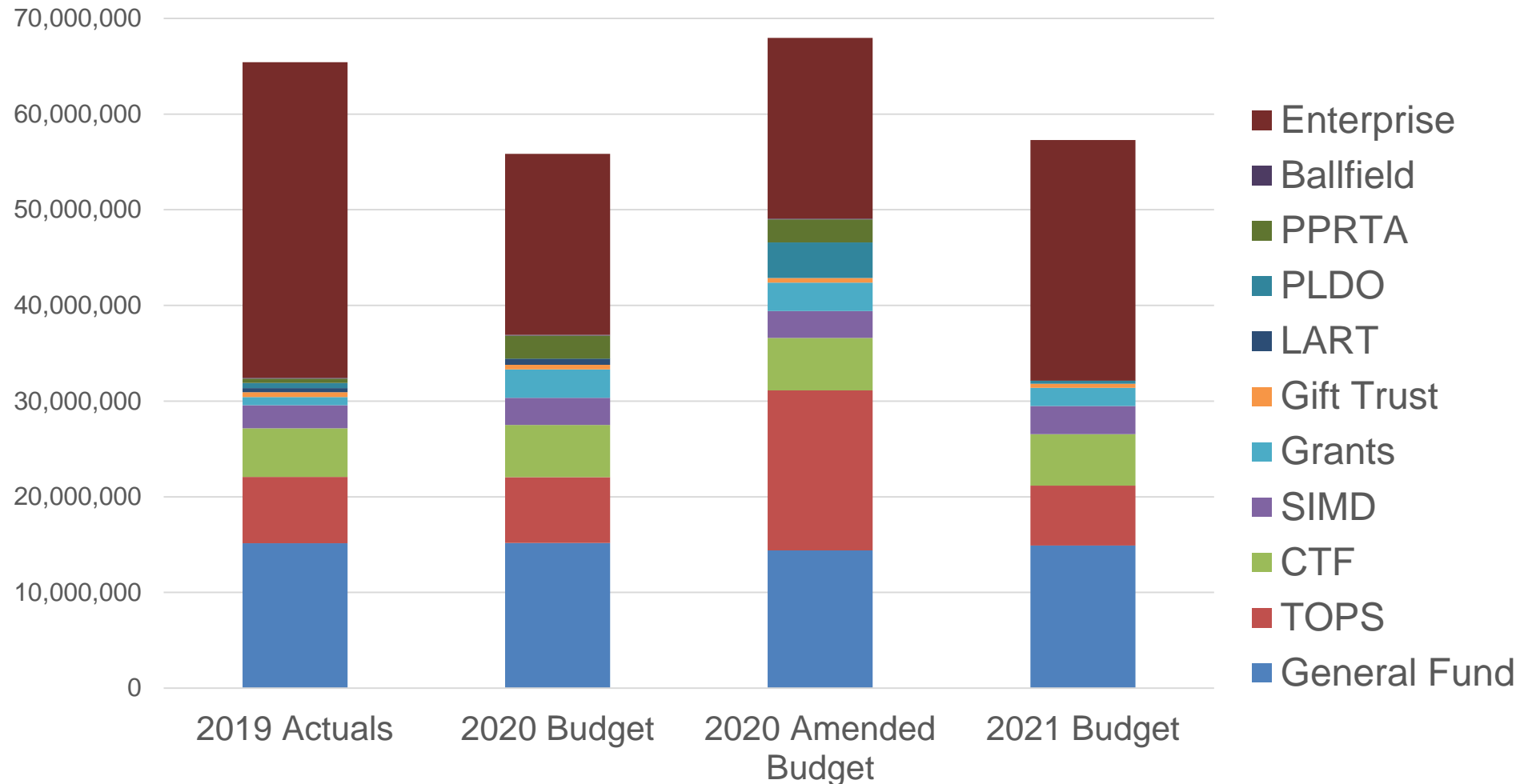
Additional GF Fleet - TBD

Additional GF CIP from ADA and Facilities - TBD

Parks, Recreation, and Cultural Services Department



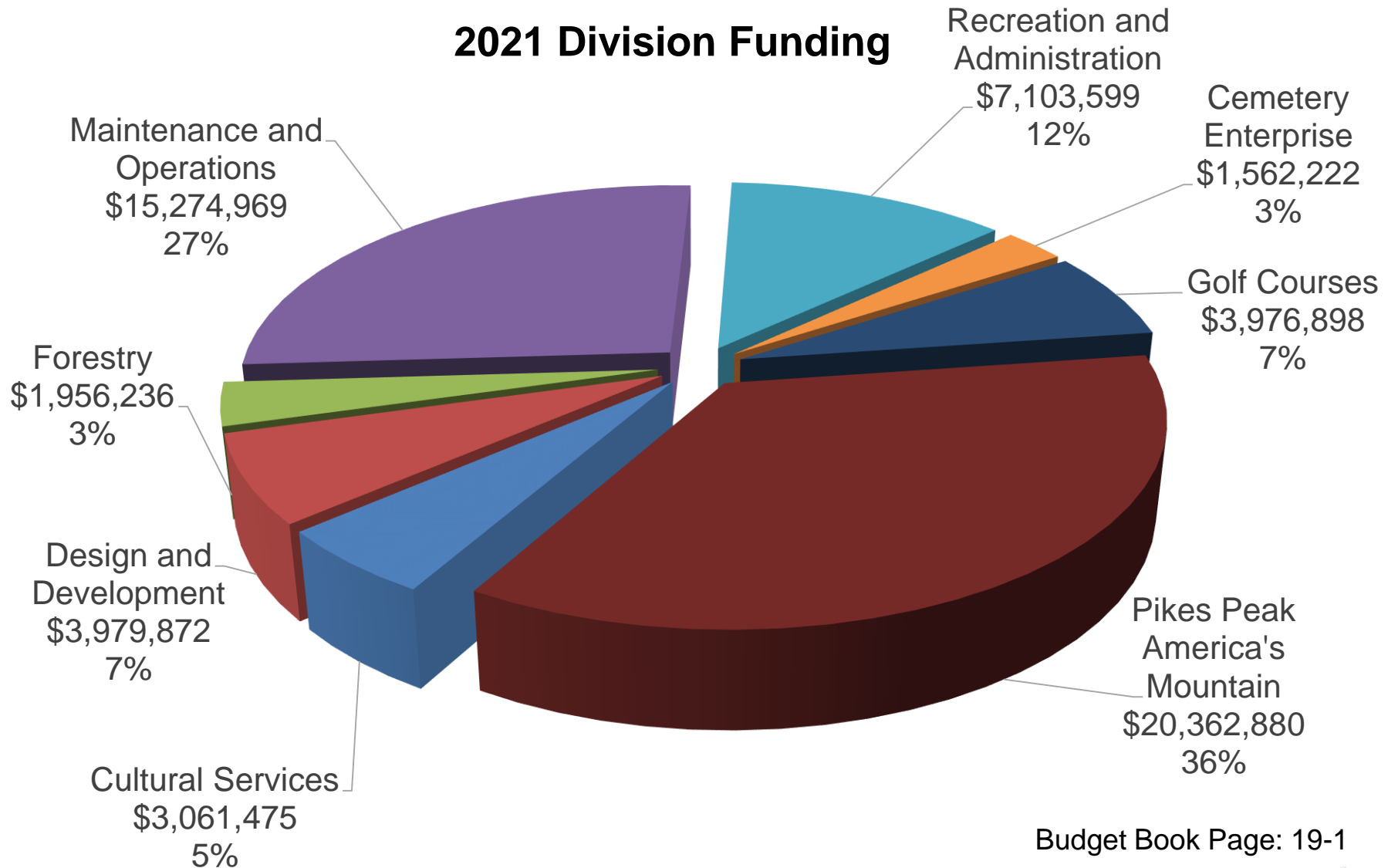
All Funds Funding History



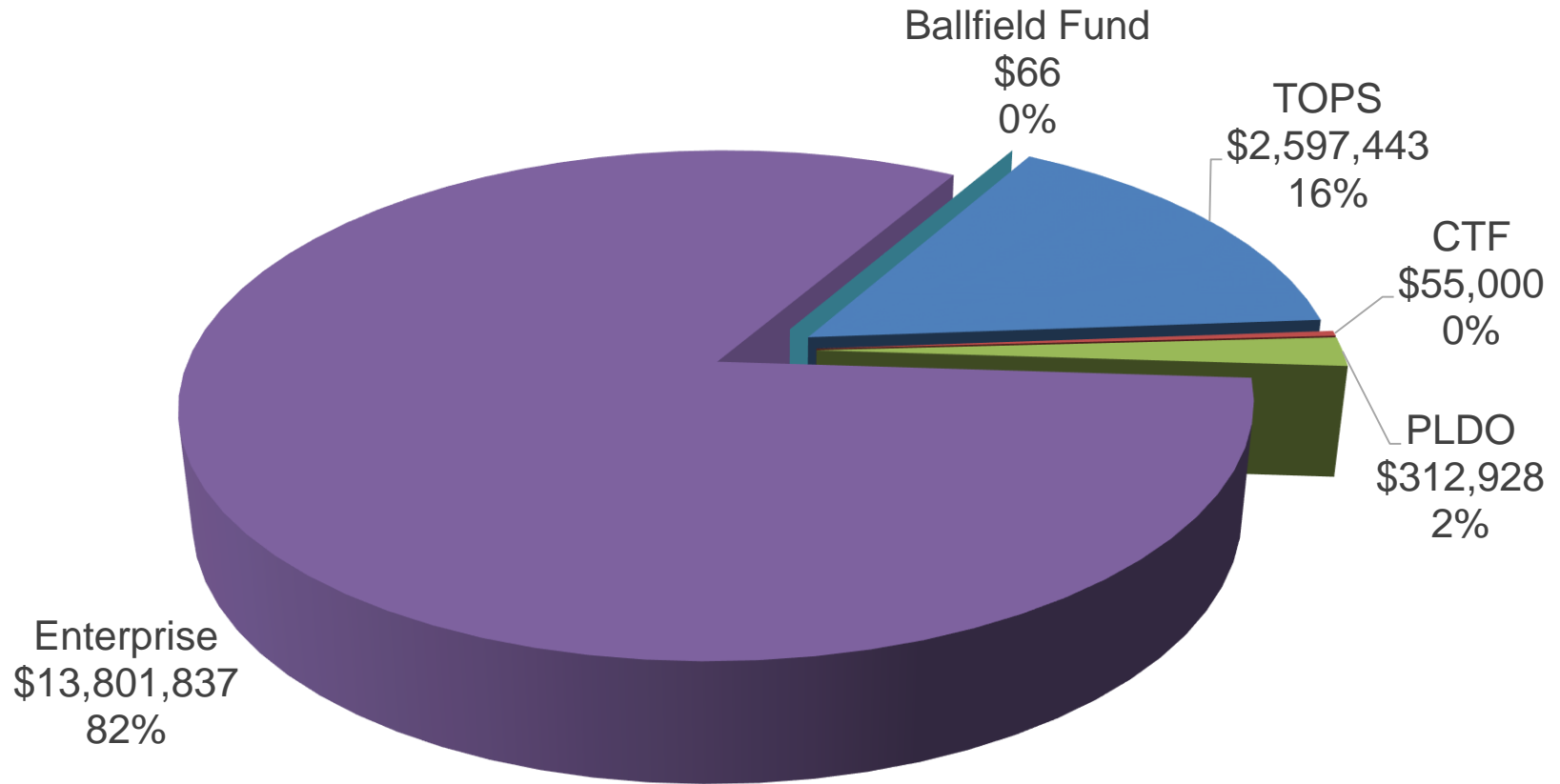
Parks, Recreation, and Cultural Services Department



2021 Division Funding



2021 Capital Improvement Program(CIP) Funding



Total Parks CIP Funding:
\$16,767,274

For a complete list of projects, please refer to Budget Book Pages: 19-11, 19-22, 19-45, 29-6

Parks, Recreation, and Cultural Services Department



2021 Department Priorities and Significant Changes

- Increase of \$400,000 in the General Fund to fund park maintenance, to offset reductions in CTF revenue for 2021
- Increase of \$127,000 to fund landscape improvement projects in the Briargate and Norwood SIMDs
- Over \$2.5 million in TOPS funding for trail and parkland expansion, open space wayfinding signage, and local park improvements
- \$13.8 million to fund the next year of construction of the new Summit Complex on Pikes Peak America's Mountain



COLORADO SPRINGS PARKS, RECREATION AND CULTURAL SERVICES DEPARTMENT
PARKS, RECREATION AND CULTURAL SERVICES ADVISORY BOARD

Date: November 12, 2020

Item Number: Board Business Action Item

Item Name: Appointment of a TOPS Working Committee Alternate

SUMMARY:

In accordance with the Trails, Open Space and Parks (TOPS) Ordinance approved by voters in 1997 and the TOPS Policies and Procedures Manual, adopted in September of 1997, the Parks, Recreation and Cultural Services ("PR&CS") Advisory Board is responsible for establishing the TOPS Working Committee to "Work together, in accordance with the TOPS Ordinance, to guide our City in the prudent acquisition, development and preservation of Trails, Parks and Open Space, thereby creating a legacy for future generations in the Pikes Peak Region."

The TOPS Working Committee reports to and serves at the discretion of the PR&CS Advisory Board. The term for appointees is three years with the option to apply for a second three year term. Appointees serving less than half of the remaining term that arises due to a vacancy are eligible for two full terms if selected at a future date to continue on the TOPS Working Committee. Reappointments are not automatic. TOPS Working Committee members are typically appointed in September of each year. Because the TOPS Program Manager received the resignation of the prior TOPS Alternate Member the month after the interview team conducted interviews, the interview team decided to recommend Mr. Jeffrey Davis from the interview pool for appointment to the TOPS Working Committee as an Alternate Member.

BACKGROUND:

The interview panel included: The PR&CS Advisory Board Chair; the TOPS Working Committee Chair; and the TOPS Program Manager. The panel recommends the appointment of the following individual to the TOPS Working Committee:

TOPS Working Committee: Recommended Alternate Appointment:

Jeffrey Davis: Alternate Term November 12, 2020 – September 6, 2023

FINANCIAL IMPLICATIONS:

N/A

BOARD/COMMISSION RECOMMENDATION:

N/A

ALTERNATIVE:

N/A

RECOMMENDATION:

The interview committee recommends approval of the appointment of Jeffrey Davis to the TOPS Working Committee as an Alternate Member as presented.

PROPOSED MOTION:

Move approval of the appointment of Jeffrey Davis to the TOPS Working Committee as an Alternate Member as presented.